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# STATUTES OF 1915

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# STATUTES OF 1915

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**STATUTES**  
**OF THE**  
**STATE OF NEVADA**

**PASSED AT THE**  
**TWENTY-SEVENTH SESSION OF THE LEGISLATURE**

**1915**

**BEGUN ON MONDAY, THE EIGHTEENTH DAY OF JANUARY, AND ENDED**  
**ON THURSDAY, THE EIGHTEENTH DAY OF MARCH**

**CARSON CITY, NEVADA**  
**STATE PRINTING OFFICE : : JOE FARNSWORTH, SUPERINTENDENT**  
**1915**

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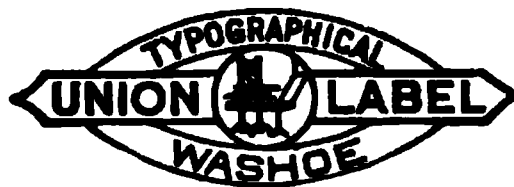
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# **LAWS OF THE STATE OF NEVADA**

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# LAWS OF THE STATE OF NEVADA

PASSED AT THE  
TWENTY-SEVENTH SESSION OF THE LEGISLATURE  
1915

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CHAPTER 1—*An Act to create a legislative fund.*

[Approved January 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of paying the mileage and the per diem of members of the present legislature, the salaries of the attachés and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart, from any money now in the general fund not otherwise especially appropriated, the sum of thirty thousand (\$30,000) dollars, which shall constitute the legislative fund. Legislative appropriation, \$30,000

SEC. 2. The state controller is hereby authorized and required to draw his warrants on said fund in favor of the members and attachés of the senate and assembly, for per diem, mileage, stationery allowance, compensation and incidental expenses of the respective houses, when properly certified to, in accordance with law, and the state treasurer is hereby authorized and required to pay the same. Duties of controller and treasurer

SEC. 3. All moneys remaining in said fund, at the adjournment of the legislature, shall revert to the general fund. Residue to revert

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CHAP. 2—*An Act providing for the printing and enrolling of legislative bills and resolutions, and other matters relating thereto.*

[Approved January 27, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state printer shall print as many copies of every bill and resolution introduced in either house in the state legislature as shall be authorized by resolution of the branch of the legislature in which said bill or resolution is introduced, and in printing such bills and resolutions the state printer is hereby authorized to correct in the copy furnished State printer to print bills and resolutions; number fixed by resolution

him all errors in spelling or punctuation, and to supply the enacting clause, if omitted; *provided*, that no change shall be made by the state printer which shall in any way vary the apparent meaning of said bill or resolution.

**Bills and resolutions; copy to be in triplicate.**  
**Sec. 2.** All bills and resolutions shall be introduced in triplicate, and one copy of each bill or resolution shall be marked "original"; one shall be marked "duplicate"; one shall be marked "triplicate." The copy marked "duplicate" shall be sent to the state printer for the purpose of printing, and the copy marked "triplicate" shall be referred to the engrossing committee of the house in which such bill or resolution was introduced.

**State printer to furnish special copy on buff paper for engrossing committee**  
**Sec. 3.** The state printer shall immediately after receipt of the copy of any bill or resolution print, in addition to the regular number hereinbefore authorized, one copy thereof upon heavy buff paper, which copy shall be delivered to the engrossing committee of the house in which the bill or resolution originated. The said engrossing committee shall carefully compare the printed copy of said bill with the triplicate copy thereof and if said printed copy is found to be in all respects correct said engrossing committee shall cause the copy of said bill printed upon buff paper to be securely bound with a substantial cover on which the history of said bill shall be endorsed; the chairman of the engrossing committee of the house in which said bill or resolution originated shall then certify to the correctness of said bound copy and deliver same to the chief clerk of the assembly or secretary of the senate, as the case may be; whereupon said bound copy printed upon buff paper so compared and certified to, shall be substituted for the original copy introduced and thereafter be deemed the official copy of said bill or resolution.

**Printed bill becomes original bill, when**

**Engrossed copy may be ordered reprinted by resolution**  
**Sec. 4.** When any bill or resolution is ordered engrossed the house ordering such engrossment may, as a part of such resolution, if deemed advisable, order such bill or resolution to be reprinted, one copy upon buff paper, for engrossment as amended, before being transmitted to the other house.

**Size specified for enrolled bills and resolutions**  
**Sec. 5.** All legislative bills and resolutions shall be enrolled in typewriting on sheets of paper sixteen (16) inches by nine and one-half ( $9\frac{1}{2}$ ) inches in dimensions with a one and one-half inch ( $1\frac{1}{2}$ ) margin on left-hand side and top and bottom of said sheet, and not more than a one-inch (1) margin on right-hand side, ruling to be on both sides of each sheet. The paper shall be the best quality of ledger paper and suitable for making one clear carbon copy. An original and carbon copy shall be made. If the bill embraces more than one of said sheets they shall be temporarily bound together by a Hotchkiss fastener in the upper left-hand corner of said sheet. All portions of sheets not covered by typewriting shall be ruled off in red ink to prevent insertion of other matter. The complete history of each bill and resolution shall be endorsed in typewriting upon the back of the last sheet of the original copy

thereof, and the same shall then be signed by the presiding officers of the respective houses and by the secretary of the senate and the chief clerk of the assembly. The original copy shall then be presented to the governor for his action. The duplicate copy thereof shall be deposited with the secretary of state for transmission to the state printer to be used by him in preparation of the volume of statutes enacted at the session of the legislature; *provided*, the printed bill may by resolution be used as the enrolled bill in accordance with section 4124 of the Revised Laws of Nevada, 1912. Printed bill may become enrolled bill, when

SEC. 6. All legislative bills and resolutions deposited with the secretary of state after approval by the governor shall be bound in a substantial volume as now provided by law, together with an index thereof. Enrolled bills to be bound

SEC. 7. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

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CHAP. 3—*An Act to repeal an act entitled "An act authorizing and directing the board of county commissioners of Humboldt County to pay from the county general fund the sum of five hundred dollars monthly, to cover expenses incurred by the Humboldt County chamber of commerce in promoting the public good, and matters properly connected therewith," approved March 24, 1913.*

[Approved February 1, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That certain act of the legislature of the State of Nevada, entitled "An act authorizing and directing the board of county commissioners of Humboldt County to pay from the county general fund, the sum of five hundred dollars monthly, to cover expenses incurred by the Humboldt County chamber of commerce in promoting the public good, and matters properly connected therewith," approved March 24, 1913, is hereby repealed. Repeal of certain act concerning Humboldt County chamber of commerce

SEC. 2. This act shall take effect and be in force from and after its passage and approval. In effect

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CHAP. 4—*An Act repealing section thirteen of an act entitled "An act to create a board of county commissioners in the several counties of this state, and to define their duties and powers," approved March 8, 1865, as amended February 21, 1877, as amended March 8, 1879, being section 1513, Revised Laws of Nevada.*

[Approved February 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Repealing  
section  
making  
county com-  
missioners  
canvassers  
of election

SECTION 1. Section 13 of an act entitled "An act to create a board of county commissioners in the several counties of this state, and to define their duties and powers," approved March 8, 1865, as amended February 21, 1877, as amended March 8, 1879, being section 1513, Revised Laws of Nevada, is hereby repealed.

CHAP. 5—*An Act concerning claims and accounts against incorporated cities.*

[Approved February 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Claims must  
be presented  
to incor-  
porated  
cities within  
six months

SECTION 1. All unaudited claims or accounts against any incorporated city in this state shall be presented to the city council of said city, duly authenticated, within six months from the time such claims or accounts become due or payable; *provided*, nothing contained in this act shall be construed so as to prevent the presentation and auditing of any claim or account now due against any incorporated city in this state, at any time within six months from the passage and approval of this act.

Claims not  
paid unless  
above  
conditions  
are observed

SEC. 2. No claim or account against any incorporated city in this state shall be audited, allowed, or paid by the city council or any officer or officers of said incorporated city unless the provisions of section 1 of this act shall have been strictly complied with.

Rejected  
claims never  
to be recon-  
sidered

SEC. 3. No claim or account which has once been presented and rejected shall ever again be considered or allowed by the same or any subsequently elected or appointed city council of the same city.



CHAP. 6—*An Act to repeal an act entitled "An act to prohibit gift enterprises, and to provide punishment for a violation of the same," approved March 13, 1913.*

[Approved February 4, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That said act entitled "An act to prohibit gift enterprises, and to provide punishment for the violation of the same," approved March 13, 1913, be, and the same is, hereby repealed. Repeal of act prohibiting gift enterprises

CHAP. 7—*An Act to authorize the board of county commissioners of the county of Mineral, State of Nevada, to issue bonds to provide for the maintenance of a county high school in the town of Hawthorne, Nevada.*

[Approved February 8, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of Mineral County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, for an amount not to exceed the sum of two thousand dollars, exclusive of interest, for the purpose of providing funds for the maintenance of a county high school in the town of Hawthorne. Bonds for Mineral County high school

SEC. 2. The board of county commissioners of said Mineral County shall cause said bonds to be prepared and made ready for issuance. Such bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer. Bonds to be issued

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued. Record to be kept

SEC. 4. The board of county commissioners of Mineral County is hereby authorized to negotiate the sale of said bonds or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin. Negotiation of bonds  
Provisions

SEC. 5. Said bonds shall be each for the sum of five hundred dollars. They shall be numbered from one to four, con- Denomination of bonds

Interest      secutively, and the interest on the same shall not exceed six per cent per annum, payable semiannually on the first Monday of July and January of each year, at the office of the county treasurer of said Mineral County, and in no case shall any of said bonds run for a longer period than eighteen months.

"County High School Fund"      SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund known as "County High School Fund," and to pay out said moneys only in the manner now provided by law for payment of the "County High School Fund" and for the purposes for which the same were received.

County treasurer responsible      SEC. 7. The county treasurer of said Mineral County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

"Mineral County High School Bond Redemption Fund"      SEC. 8. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of the said Mineral County is hereby authorized and required to levy and collect, during the year of 1915, a special tax on the assessed value of all property, both real and personal, subject to taxation, including proceeds of mines, within the boundaries of said Mineral County, sufficient to pay such bonds and interest thereon and to pay and retire two of such bonds on the first Monday of January, 1916, and to pay and retire the remaining bonds on the first Monday of July, 1916. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Mineral County High School Bond Redemption Fund."

Treasurer to cancel bonds when redeemed      SEC. 9. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Interest ceases, when      SEC. 10. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment, when they become due, all interest on such bonds shall thereafter immediately cease.

State's faith pledged      SEC. 11. The faith of the State of Nevada is hereby pledged and this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified.

CHAP. 8—*An Act to amend "An act creating the office of inspector of mines, fixing his duties and powers; providing for the appointment of a deputy, and fixing the compensation for both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the attorney-general and district attorneys in relation to suits instituted by the inspector of mines," approved March 24, 1909.*

[Approved February 8, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 4 of an act creating the office of inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the attorney-general and district attorneys in relation to suits instituted by the inspector of mines, approved March 24, 1909, being section 4201 of the Revised Laws of Nevada, is hereby amended to read as follows:

Section 4. It shall be the duty of the inspector of mines at least once a year, to visit in person each mining county in the State of Nevada and examine all such mines therein as, in his judgment, may require the examination for the purpose of determining the condition of such mines as to safety, and said inspector of mines shall post or cause to be posted, in a prominent place upon the gallows-frame or other superstructure at the collar of the main workings of such mine, a copy of his recommendations within twenty-four hours from the date of such examination, and it shall be the duty of the inspector of mines to collect information and statistics relative to mines and mining and the mineral resources of the state, and to collect, arrange, and classify mineral and geological specimens found in this state and to forward the same to the state school of mines, and it shall be the duty of the inspector of mines to establish a uniform code of signals.

State  
inspector of  
mines

To post  
notices of  
recom-  
mendations  
within 24  
hours

Statistics of  
mineral  
resources

To establish  
code of  
signals



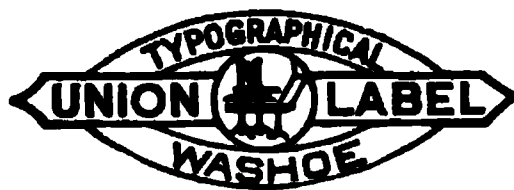
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# **LAWS OF THE STATE OF NEVADA**

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# LAWS OF THE STATE OF NEVADA

PASSED AT THE  
TWENTY-SEVENTH SESSION OF THE LEGISLATURE  
1915

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CHAPTER 1—*An Act to create a legislative fund.*

[Approved January 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of paying the mileage and the per diem of members of the present legislature, the salaries of the attachés and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart, from any money now in the general fund not otherwise especially appropriated, the sum of thirty thousand (\$30,000) dollars, which shall constitute the legislative fund. Legislative appropriation, \$30,000

SEC. 2. The state controller is hereby authorized and required to draw his warrants on said fund in favor of the members and attachés of the senate and assembly, for per diem, mileage, stationery allowance, compensation and incidental expenses of the respective houses, when properly certified to, in accordance with law, and the state treasurer is hereby authorized and required to pay the same. Duties of controller and treasurer

SEC. 3. All moneys remaining in said fund, at the adjournment of the legislature, shall revert to the general fund. Residue to revert

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CHAP. 2—*An Act providing for the printing and enrolling of legislative bills and resolutions, and other matters relating thereto.*

[Approved January 27, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state printer shall print as many copies of every bill and resolution introduced in either house in the state legislature as shall be authorized by resolution of the branch of the legislature in which said bill or resolution is introduced, and in printing such bills and resolutions the state printer is hereby authorized to correct in the copy furnished State printer to print bills and resolutions; number fixed by resolution

**CHAP. 13—***An Act to repeal an act entitled "An act creating and establishing a Nevada bureau of industry, agriculture and irrigation, providing for a commission in charge thereof; creating the office of commissioner of industry, agriculture and irrigation, and fixing his compensation; defining the objects and purposes of said bureau; prescribing the powers and duties of said commission; appropriating funds for its support and maintenance, and to carry out its objects and purposes, and other matters relating thereto," approved March 17, 1911; and providing for the disposition of the records, property, and effects of said bureau.*

[Approved February 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Abolishing  
Nevada  
bureau of  
industry,  
agriculture  
and  
irrigation

**SECTION 1.** An act entitled "An act creating and establishing a Nevada bureau of industry, agriculture and irrigation, providing for a commission in charge thereof; creating the office of commissioner of industry, agriculture and irrigation, and fixing his compensation, defining the objects and purposes of said bureau; prescribing the powers and duties of said commission; appropriating funds for its support and maintenance, and to carry out its objects and purposes, and other matters relating thereto," approved March 17, 1911, is hereby repealed.

Capitol com-  
missioners  
to receive  
property  
and effects

**SEC. 2.** Upon the taking of effect of this act the Nevada bureau of industry, agriculture and irrigation and the commissioner thereof shall deliver to the board of capitol commissioners of the State of Nevada all records, property, and effects belonging to or theretofore in any manner acquired by said bureau.

Duty of  
capitol com-  
missioners

**SEC. 3.** It shall be the duty of the said board of capitol commissioners to accept and receive said records, property, and effects, and the same shall thereafter be under the direction and control of said board of capitol commissioners until disposed of by it in the manner provided in sections 4417 or 4418 of Revised Laws of Nevada, 1912.

In effect  
April 1, 1915

**SEC. 4.** This act shall become effective from and after April 1, 1915.

**CHAP. 14—***An Act to repeal an act entitled "An act to authorize and empower the board of county commissioners of Nye County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county, and for paying current expenses of Nye County, State of Nevada," approved March 20, 1911.*

[Approved February 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** That certain act of the legislature of the State of Nevada entitled an act to repeal an act entitled "An act to



authorize and empower the board of county commissioners of Nye County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county, and for paying current expenses of Nye County, State of Nevada," approved March 20, 1911, is hereby repealed.

Repeal of act  
bonding  
Nye County

SEC. 2. This act shall take effect and be in force from and after its passage and approval.

In effect  
immediately

CHAP. 15—*An Act establishing a rule of evidence, and to amend section four hundred of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912.*

[Approved February 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 400 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912, is hereby amended so as to read as follows:

Crimes and  
punishments  
act amended

Section 400. Every person who shall make, pass, utter, or publish, with an intention to defraud any other person or persons, body politic or corporate, either in this state or elsewhere, or with the like intention shall attempt to pass, utter, or publish, or shall have in his possession, with like intent to utter, pass, or publish, any fictitious bill, note, or check purporting to be the bill, note or check, or other instrument in writing, for the payment of money or property of some bank, corporation, copartnership, or individual, when in fact there shall be no such bank, corporation, copartnership, or individual in existence, the said person knowing the said bill, note, check, or instrument in writing for the payment of money or property to be fictitious, shall be deemed guilty of forgery, and on conviction thereof shall be punished by imprisonment in the state prison for a term not less than one or more than fourteen years. Whenever such note, bill, check, or other instrument in writing is drawn upon any bank, proof that the purported drawer of the same had no account at said bank, shall be deemed sufficient evidence to sustain the allegation of the nonexistence of the drawer of such instrument.

Rule of  
evidence  
established  
regarding  
uttering of  
false paper

Deemed  
forgery—  
penalty

CHAP. 16—*An Act to amend section twenty of an act entitled "An act to regulate proceedings in criminal cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911; effective January 1, 1912.*

[Approved February 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Criminal  
practice act  
amended

SECTION 1. Section 20 of an act entitled "An act to regulate proceedings in criminal cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, effective January 1, 1912, is hereby amended so as to read as follows:

Giving or  
refusing to  
give bond,  
effect

Section 20. If the bond required by the last section is given, the person complained of shall be discharged. If he does not give it, the magistrate must commit him to prison until he gives such bond, specifying in the warrant the requirement to give security, the amount thereof, and the omission to pay the same; *provided*, that in no event shall the person complained of be confined in prison for a period of longer than six months for a failure or omission to give such bond.

Imprison-  
ment  
limited to  
6 months

CHAP. 17—*An Act to amend section nine of an act entitled "An act providing for the prosecution and punishment of crimes, misdemeanors, and offenses by information," approved March 24, 1913.*

[Approved February 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Prosecution  
of crime by  
information

SECTION 1. Section 9 of an act entitled "An act providing for the prosecution and punishment of crimes, misdemeanors, and offenses by information," approved March 24, 1913, is hereby amended so as to read as follows:

Information,  
how made

Section 9. An information may be filed against any person for any offense when such person has had a preliminary examination as provided by law before a justice of the peace, or other examining officer or magistrate, and has been bound over to appear at the court having jurisdiction, or shall have waived his right to such preliminary examination. If, however, upon such preliminary examination the accused has been discharged, or the affidavit or complaint upon which the examination has been held has not been delivered to the clerk of the proper court, the district attorney may, upon affidavit of any person who has knowledge of the commission of an offense, and who is a competent witness to testify in the case, setting forth the offense and the name of the person or persons charged with the commission thereof, upon being furnished with the

Upon affi-  
davit, when

names of the witnesses for the prosecution, by leave of the court first had, file an information, and process shall forthwith issue thereon. The affidavit mentioned herein need not be filed in cases where the defendant has waived a preliminary examination, or upon such preliminary examination has been bound over to appear at the court having jurisdiction. All informations shall set forth the crime committed according to the facts. Shall set forth facts

**CHAP. 18—An Act to amend an act entitled “An act relating to the support of the poor,” approved November 29, 1861.**

[Approved February 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** Section 10 of the above-entitled act is hereby amended so as to read as follows:

**Section 10.** The board of county commissioners of any county in this state may, if they think proper, cause to be built or provide in their respective counties workhouses for the accommodation or employment of such indigents as may, from time to time, become a county charge, and such workhouse and indigents shall be under such rules and regulations as said board of county commissioners may deem proper and just; and said board of county commissioners may, if they think proper, purchase a suitable tract of land not to exceed eighty acres in extent, within four miles of said workhouse, or any county hospital heretofore or hereafter established, or any home for the indigent poor or sick heretofore or hereafter established, for a county poor-farm; and said board of county commissioners are hereby authorized to pay for the purchase of said county poor-farm out of the general fund of the county. County commissioners may provide workhouses or poor-farms  
Purchase paid from county general fund

**CHAP. 19—An Act to prohibit state, county, municipal and township officials from employing or keeping in their employ any person or persons related to them within the third degree of consanguinity, or affinity, and providing penalties for the violation of the provisions of this act.**

[Approved February 13, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** From and after July 1, 1915, it shall be unlawful for any state, township, municipal, or county official, elected or appointed, to employ or to keep in his employ on behalf of the State of Nevada, or any county thereof, in any capacity, his wife, son, daughter, or any person or persons related to him (by blood or marriage) within the third degree of consanguinity or affinity. Nothing in this Act shall be deemed Nepotism prohibited  
Within third degree of consanguinity or affinity

to disqualify any widow as an employee of any state or county officer.

Payment  
prohibited

SEC. 2. No person employed contrary to the provisions of this act shall be entitled to or allowed compensation for such employment.

Misde-  
meanor—  
fine or im-  
prisonment

SEC. 3. Any violation of this act shall constitute a misdemeanor, and upon conviction shall subject the person found guilty to a fine of not less than \$100 nor more than \$1,000, or to imprisonment in the county jail for not less than thirty days nor more than six months, or to both such fine and imprisonment.

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CHAP. 20—*An Act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada and to repeal certain acts relating thereto," approved March 23, 1891.*

[Approved February 13, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
revenue act

SECTION 1. The above-entitled act is hereby amended by adding a section numbered 123½, as follows:

Fortune-  
tellers, etc.,  
must pay  
license

Section 123½. Every fortune-teller, clairvoyant, palmist, or medium charging, collecting, or receiving any consideration, or any thing of value, for his or her services, directly or indirectly, shall pay a license of \$25 the month, or \$50 the quarter; *provided*, that the terms herein used include every person or persons who read or purport to read, or to tell fortunes, or to predict or to tell the future or past by cards, palmistry, clairvoyancy, or other methods.

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CHAP. 21—*An Act to amend an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved February 13, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Penalty for  
school  
teachers  
repealed

SECTION 1. Section 109 of the above-entitled act, being section 3348 of the Revised Laws of Nevada, is hereby repealed.

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**CHAP. 22—An Act fixing the allowance for expenses of any state officer, commissioner, or other employee while traveling, or at destination, on official business.**

[Approved February 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The maximum amount of expense money per day for personal uses, allowed to any individual officer or commissioner, or other employee of the state, while traveling, or at his destination, on official business for the State of Nevada, shall not exceed the sum of five dollars per day; *provided*, that nothing in this act shall be construed to include the cost of seats or sleeping-berths in railway trains, railroad fare, stage fare, automobile hire or fare, team or horse hire, bus, or street-car fare, or transportation charges of any kind whatsoever.

Public officials limited in subsistence expenses

Exceptions

SEC. 2. Paid vouchers for each item must accompany each expense account when presented to the board of examiners for approval.

Vouchers required

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

Repeal

SEC. 4. This act shall take effect upon its passage and approval.

Immediate effect

**CHAP. 23—An Act fixing the salaries and compensation of the officers of Eureka County, and repealing all acts or parts of acts in conflict with this act.**

[Approved February 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. From and after the approval of this act the county officers of Eureka County, State of Nevada, named in this act, shall receive the following salaries and fees, in full compensation for their services:

Salaries of Eureka County officers

The sheriff shall receive a salary of one thousand eight hundred dollars per annum, and such fees in civil cases, wherein the State of Nevada or the county of Eureka is not a party, as are provided for by law; *provided*, that when in criminal cases it becomes necessary for the sheriff to travel a greater distance than twenty miles from the county-seat, but within the State of Nevada, he shall be allowed his necessary traveling expenses. The sheriff shall present to the board of county commissioners a bill of items of such necessary expenses actually incurred, and the board of county commissioners shall audit and may allow such claims in the same manner as other county expenses are audited and paid. He may appoint a deputy sheriff, who

Sheriff

shall act as jailer, at a compensation not exceeding ninety dollars per month.

District  
attorney

The district attorney shall receive a salary of one thousand eight hundred dollars per annum, and such fees as are now allowed by law; *provided*, that when in proper discharge of his duties as district attorney it becomes necessary to travel a greater distance than twenty miles from the county-seat, he shall be allowed his actual traveling expenses. The district attorney shall present to the board of county commissioners a bill of items of such necessary expenses actually incurred, and the board of county commissioners shall audit and may allow such claims in the same manner as other expenses are audited and allowed.

Clerk

The county clerk, who shall be ex officio county treasurer in and for said county and ex officio clerk of the district court and of the board of county commissioners of said county, shall receive as a salary as treasurer the sum of one thousand two hundred dollars per annum, and as clerk a salary of six hundred dollars per annum, and such fees, in all cases wherein the State of Nevada or the county of Eureka is not a party, as are now allowed by law to county clerks.

Recorder

The county recorder and ex officio county auditor shall receive for all such services a salary of one thousand five hundred dollars per annum, and in addition thereto such fees, in all cases wherein the State of Nevada or the county of Eureka is not a party, as are now allowed by law to the county recorder.

Assessor

The county assessor shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that when in the proper discharge of his duties as assessor it becomes necessary to travel a greater distance than three miles from the county-seat, he shall be allowed his actual traveling expenses. The assessor shall present to the board of county commissioners a bill of items of such necessary expenses actually incurred, and the board of county commissioners shall audit and may allow such claims in the same manner as other expenses are audited and allowed.

Com-  
missioners

The county commissioners shall receive a salary of six hundred dollars per annum and ten cents per mile in going to and from the county-seat, when attending upon the regular monthly meetings, and when meeting as a board of equalization and board of canvassers, and when meeting to consider cases of extradition, as provided by law, and they shall meet regularly on the first Monday of each month for the transaction of all business that may come before them.

Allowances  
restricted

SEC. 2. No allowance shall be made by the board of county commissioners for the compensation of any deputy or deputies for any officers except as herein expressly provided.

Salaries  
payable  
monthly

SEC. 3. All salaries herein provided for and not otherwise payable shall be payable in twelve equal monthly installments. The county auditor shall, on the first Monday of each month, draw his warrant in favor of each of the officers herein named



for the salary due each officer for the last preceding month, and the county treasurer shall pay such warrant out of the salary fund.

SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 24—*An Act to create a legislative fund.*

[Approved February 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of paying the mileage and the per diem of members of the present legislature, the salaries of the officers and attachés, and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart, from any money in the general fund not otherwise especially appropriated, the sum of forty-five thousand dollars, which shall constitute the legislative fund. Legislative appropriation, \$45,000

SEC. 2. The state controller is hereby authorized and required to draw his warrants on said fund in favor of the members, officers, and attachés of the senate and assembly, for per diem, mileage, stationery allowance, compensation, and incidental expenses of the respective houses, when properly certified to, in accordance with law, and the state treasurer is hereby authorized and required to pay the same. Duties of controller and treasurer

SEC. 3. All moneys remaining in said fund, at the adjournment of the legislature, shall revert to the general fund. Residue to revert

CHAP. 25—*An Act for the relief of certain persons, firms, associations, and corporations, who advanced funds for the construction of the Nevada school of industry, in the town of Elko, State of Nevada, and authorizing the repayment of the same by the town of Elko, State of Nevada.*

[Approved February 17, 1915]

WHEREAS, During the twenty-sixth session of the legislature of Nevada, an act entitled "An act establishing a state institution for delinquent boys, providing for the purchase of a site, erection of buildings, organizing the government of said school, and providing for the maintenance thereof, and creating a tax levy to raise funds for such purposes," approved March 26, 1913, was passed, creating a Nevada school of industry and a commission for the construction of said school and the government thereof, and conditioned that the Nevada school of industry, therein created, should be located in the county of Elko, State of Nevada, upon land deeded to the state, without charge, and upon the payment to the commission, by the citizens of Elko, of the sum of five thousand dollars; and Preamble

Preamble

WHEREAS, The commission provided in said act was duly appointed, and the conditions set forth in said act were duly complied with, and said school has been constructed; and

WHEREAS, No authority had been provided by which the said town of Elko could appropriate the said five thousand dollars; and

Persons  
advancing  
money for  
Nevada  
school of  
industry

WHEREAS, In order not to delay the construction of said building, the following-named persons, firms, associations, and corporations paid and advanced to the said commission the said sum of five thousand dollars, as is hereafter more particularly set forth, to wit: W. T. Smith Company, \$250; Elko Lumber Company, \$250; A. G. McBride, \$250; R. H. Mallett, \$250; Guy Saval, \$250; A. W. Hesson Company, \$250; Chris Eshleman, \$250; Doctors Hood & West, \$250; L. J. Wintermantel Company, \$250; Elko Hide and Junk Company, \$250; Mayer Hotel Company, \$250; George Russell, \$250; Elko Automobile Company, \$250; E. M. Steninger, \$250; Sutherland & McFarlane, \$250; Engler Company, \$250; E. Dotta, \$250; Thomas Hunter, \$250; First National Bank of Elko, \$250; and Henderson Banking Company, \$250; and

WHEREAS, Said sums were so advanced and paid, with the understanding that the same would be a charge against the town of Elko, State of Nevada, and be repaid by said town, as soon as an enabling act should be enacted by the legislature of the State of Nevada: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Town of  
Elko to  
reimburse  
persons  
advancing  
money for  
Nevada  
school of  
industryPersons and  
sums named

SECTION 1. That the board of county commissioners of the county of Elko, State of Nevada, acting as the town board of Elko, be, and it is, hereby authorized, empowered and directed, as soon as there be sufficient funds in the town fund of the town of Elko, State of Nevada, upon presentation and proof that said sums have been paid to the commission for the establishment of the Nevada school of industry, to approve and allow on said fund, the claim of W. T. Smith Company, for the sum of two hundred fifty dollars (\$250); the claim of Elko Lumber Company, for two hundred fifty dollars (\$250); the claim of A. G. McBride, for the sum of two hundred fifty dollars (\$250); the claim of R. H. Mallett, for the sum of two hundred fifty dollars (\$250); the claim of Guy Saval, for the sum of two hundred fifty dollars (\$250); the claim of A. W. Hesson Company, for the sum of two hundred fifty dollars (\$250); the claim of Chris Eshleman, for the sum of two hundred fifty dollars (\$250); the claim of Doctors Hood & West, for the sum of two hundred fifty dollars (\$250); the claim of L. J. Wintermantel Company, for the sum of two hundred fifty dollars (\$250); the claim of Elko Hide and Junk Company, for the sum of two hundred fifty dollars (\$250); the claim of Mayer Hotel Company, for the sum of two hundred fifty dollars (\$250); the claim of George Russell, for the sum of two hundred fifty dollars (\$250); the



claim of Elko Automobile Company, for two hundred fifty dollars (\$250); the claim of E. M. Steninger, for the sum of two hundred fifty dollars (\$250); the claim of Sutherland & McFarlane, for the sum of two hundred fifty dollars (\$250); the claim of Engler Company, for the sum of two hundred fifty dollars (\$250); the claim of E. Dotta, for the sum of two hundred fifty dollars (\$250); the claim of Thomas Hunter, for the sum of two hundred fifty dollars (\$250); the claim of First National Bank of Elko, for the sum of two hundred fifty dollars (\$250); and the claim of the Henderson Banking Company, for the sum of two hundred fifty dollars (\$250).

SEC. 2. After the approval and allowance of said amounts, or any of them, by the said board of county commissioners of the county of Elko, State of Nevada, acting as a town board, the auditor of the county of Elko, State of Nevada, is hereby directed and required to draw his warrant in favor of the persons, firms, associations, and corporations above named, for the amounts specified in this act; and the treasurer of the county of Elko, State of Nevada, is hereby directed and required to pay the same from the town fund.

Money to  
come from  
town fund  
of Elko

**CHAP. 26—An Act to regulate the racing of horses in the State of Nevada, and to establish a state racing commission, and to define its powers and duties, and prescribing a penalty for violation thereof.**

[Approved February 20, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any association or corporation formed for the purpose of racing and breeding or improving the breed of horses and conducting races and contests of speed between horses shall have the right and power, subject to the provisions of this act, to hold one or more race meetings in each year and to hold, maintain and conduct horse-races at such meetings. At such meetings the corporation or association or the owners of the horses engaged in such races, or others who are not participants in the racing, may contribute purses, prizes, premiums, or stakes to be contested for; but no person or persons other than the owners of a horse or horses contesting in a race shall have any pecuniary interest in a purse, prize, premium, or stakes contested for in such races or be entitled to or receive any portion thereof after such races shall have been finished; and the whole of such purse, prize, premium, or stakes shall be allotted in accordance with the terms and conditions of such race.

Horse-races  
permitted  
under  
restrictions

SEC. 2. Such race meetings shall not exceed thirty days racing, nor shall any meeting be given where bookmaking is allowed, nor shall any person, association, or corporation furnish to poolrooms or their agents any information whatever

Term of  
meetings  
limited;  
other  
restrictions

Bookmaking and information to poolrooms prohibited	<p>in regard to racing, or permit to be furnished from any course or premises any such information. Any person, association, or corporation who shall conduct any race meeting contrary to the provisions of this act, or engage in bookmaking on horse-races, or furnish or allow to be furnished any information whatever to poolrooms contrary to this act, are hereby declared to be guilty of a misdemeanor; and any person, association, or corporation acting or aiding them shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisonment.</p>
Penalty	<p>SEC. 3. No horse-races are authorized or shall be permitted between sunset and sunrise or on Sundays.</p>
No Sunday racing	<p>SEC. 4. A state racing commission is hereby established to consist of three persons to be appointed by the governor, within twenty days after this law shall be in force. The members of said commission shall hold their offices for a term of four years; <i>provided</i>, that the commissioners first appointed shall determine, by lot, one of themselves to go out of office at the end of each two years. The successor of each commissioner so going out of office shall hold office for the full term of four years.</p>
State racing commission established; personnel of same	<p>SEC. 5. Such commission shall appoint a secretary who shall serve during its pleasure, whose duty it shall be to keep a full and faithful record of its proceedings, and preserve at its general office all books, maps, documents, and papers entrusted to its care, and perform such other duties as the commission shall prescribe. He shall be paid a salary to be fixed by the commission at a rate not exceeding eighteen hundred dollars per annum, which, together with other expenses of the commission, shall be paid by the racing corporations or associations who shall obtain licenses from said commission. The commission shall biennially make a full report to the governor of its proceedings for the two-year period ending with the first day of January preceding the meeting of the legislature, and shall embody therein such suggestions and recommendations as it shall deem desirable.</p>
Commission to appoint secretary	<p>SEC. 6. Such commission shall have the power to prescribe the rules, regulations, and conditions under which horse-races shall be conducted in this state, and no races shall be conducted except by an association or corporation duly licensed by said commission as herein provided. Any association or corporation desiring to conduct such racing may apply to the state racing commission for a license so to do. The commission may, in its discretion, grant the same for not to exceed one year, and every such license shall contain a condition that all races or race meetings conducted thereunder shall be subjected to the rules, regulations, and conditions from time to time prescribed by the commission, and shall be revocable by the commission for any violation thereof, or whenever the continuance of such</p>
Salary	
Biennial report	
Commission to prescribe rules for horse-racing	
License for racing	
License revoked, when	

license shall be deemed by the commission not conducive to the interests of legitimate racing. But if said license is refused or revoked said commission shall cause its reasons for so doing to be written in full in the minute books of said commission, which books shall at all times be open to inspection by any one. The refusal of the commission to grant to any racing association or corporation a license, or to assign a racing association or corporation at least sixty days in each year, if desired, for racing at such place as such association or corporation may desire and the decision of such commission revoking any license of any association or corporation shall be subject to review of the courts of this state.

Revocation of license may be reviewed by courts

SEC. 7. Every race meeting held or conducted, except as allowed by this act, is hereby declared to be a public nuisance, and every person acting or aiding therein shall be deemed guilty of a misdemeanor and punished by a fine of not less than five hundred dollars nor more than one thousand dollars for each day of such meeting and racing; and a restraining order may issue against any proposed unauthorized race meeting at the suit of the state racing commission.

Unauthorized race meetings public nuisance; penalty and restraining order

SEC. 8. The provisions of this act relative to the payment to the said state racing commission of proportionate moneys to pay the expenses of conducting said commission shall not apply to race meetings conducted by any state fair association, agricultural society, county fair, or any other association to which state or county aid is given; and no such state fair association shall hold a race meeting for a period of more than twelve days in any one year; and no such agricultural society, county fair, or other association to which state or county aid is given shall hold a race meeting for a period of more than six days in any one year.

Certain provisions not to apply to state and county associations receiving public aid

State and county meetings limited

SEC. 9. Any association or corporation conducting horse-races in the State of Nevada where paris mutuals may be permitted shall take out such commissions from all moneys received from the sale of paris mutuals as may be prescribed by the state racing commission, not to exceed eight per cent; one-sixth of which shall be paid by said associations or corporations daily to the said state racing commission, and shall be paid by said state racing commission to the county treasurer of the various counties of the State of Nevada, and shall be prorated among them in proportion to the total mileage of the county roads in said counties, to be used by said counties for the building, improvement, and care of their roads and highways. It is hereby made the duty of the state racing commission, and they are hereby granted the power, to inspect the books of any such associations or corporations and to revoke their licenses unless the said books are fully, accurately, and fairly kept.

Paris mutuals to pay percentage to public treasuries for care of highways

Racing books may be inspected

SEC. 10. It shall be unlawful for any person or persons to bribe, influence, or have any understanding or connivance with any jockey, owner, groom, or any one connected with any of the stables, horses, racing, or races at any race meeting, and any

Unlawful to bribe or influence jockeys, etc.

## Penalty

one violating this provision shall be guilty of a felony and upon conviction shall be imprisoned in the state prison for a period of not less than three years or more than ten years.

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CHAP. 27—*An Act to amend an act entitled "An act to provide for the management and control of the state agricultural society by the state," approved March 7, 1885, 77.*

[Approved February 20, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

State fair to  
be held at  
Fallon,  
Churchill  
County

SECTION 1. Section 5 of an act entitled "An act to provide for the management and control of the state agricultural society by the state," approved March 7, 1885, 77, is hereby amended so as to read as follows:

Section 5. The state board of agriculture shall be charged with the exclusive management and control of the state agricultural society as a state institution; shall have possession and care of its property, and be intrusted with the direction of its entire business and financial affairs. They shall define the duties of the secretary and treasurer, fix their bonds and compensation, and shall have power to make all necessary changes in the constitution and rules of the society to adapt the same to the provisions of this act, and to the management of the society, its meetings and exhibitions. They shall provide for an annual fair or exhibition by the society of all the industries and industrial products of the state at the city of Fallon, Churchill County, State of Nevada; *provided*, that in no event shall the state be liable for any premium awarded or debt created by said board of agriculture.

State not  
liable for  
premiums  
or debts

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal

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CHAP. 28—*An Act to amend section 22 of an act entitled "An act relating to marriage and divorce," approved November 28, 1861, as said section has heretofore been amended, and particularly as amended by act approved February 15, 1875, and by act approved February 20, 1913.*

[Approved February 23, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
divorce law

SECTION 1. Section 22 of the said act of 1861, together with all amendments to and reenactments of said section, are hereby amended so as to read as follows:

Divorce, how  
obtained

Section 22. Divorce from the bonds of matrimony may be obtained, by complaint under oath, to the district court of the county in which the cause therefor shall have accrued, or in

which the defendant shall reside or be found, or in which the plaintiff shall reside, if the latter be either the county in which the parties last cohabited, or in which the plaintiff shall have resided six months before suit be brought, for the following causes: Six months residence

First—Impotency at the time of the marriage continuing to the time of the divorce. Causes for divorce

Second—Adultery, since the marriage, remaining unforgiven.

Third—Wilful desertion, at any time, of either party by the other, for the period of one year.

Fourth—Conviction of felony or infamous crime.

Fifth—Habitual gross drunkenness contracted since marriage of either party, which shall incapacitate such party from contributing his or her share to the support of the family.

Sixth—Extreme cruelty in either party.

Seventh—Neglect of the husband, for the period of one year, to provide the common necessities of life, when such neglect is not the result of poverty on the part of the husband, which he could not avoid by ordinary industry.

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed. Repeal

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CHAP. 29—*An Act to provide for the consolidation of school districts, for the transportation of children to and from school, and other matters relating thereto.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any two or more adjacent school districts may unite for the purpose of establishing a single consolidated district. School districts may consolidate

SEC. 2. The process of uniting two or more school districts into a consolidated district shall be as follows: Upon receipt of a petition signed by a majority of the voters who are entitled to a vote at school elections, from each of the districts to be affected by the consolidation, the county commissioners of the county in which such districts are located shall cause a notice to be published for three consecutive weeks in a newspaper having general circulation throughout the county, which notice shall state fully the names of the districts proposing to consolidate, the boundaries of the proposed consolidated district, and shall set forth a day and hour at the next regular meeting of the board of county commissioners when the said board will canvass the signatures on each petition and hear statements that any of the residents of any of the districts to be affected by the consolidation may wish to make either for or against the proposition of consolidation. At the time set forth in the Method of consolidation  
Notice to be published

County Com-  
missioners  
to act upon  
receipt of  
petitions

notice the county commissioners shall proceed to canvass the signatures on each petition, and if a majority of said board are satisfied that the petitions presented represent the will of a majority of the voters of each of the districts affected, they shall unite such districts into a single consolidated district, shall designate the said district as Consolidated School District No. ----, and shall designate a place at which the school trustees of the several districts united shall meet to hold an election. If three or more school districts are proposing to consolidate and a majority of the voters of any district are opposed to such consolidation, such district shall not be made a part of the consolidated district, but the county commissioners may consolidate such other districts as are affected by the consolidation without requiring new petitions.

Trustees of  
consolidated  
districts,  
how elected

SEC. 3. On the second Saturday after the consolidated district has been formed the trustees of the several districts which have consolidated shall meet at the place designated by the county commissioners as hereinbefore provided and shall elect by ballot three of their number to be trustees of the consolidated district and such trustees shall hold office until the next regular election of school trustees as now provided by law. A certified statement of the result of said election, together with the oaths of office of the trustees elected, shall be filed with the superintendent of the supervision district in which the consolidated district is located. In case such election is not held, the superintendent shall appoint the trustees. Upon the election or appointment of the trustees of the consolidated district, the districts which have consolidated shall each be considered disorganized and the offices of trustees of each of the several districts as no longer existing.

Old districts  
disorgan-  
ized, when

Contracts  
with drivers  
of school  
vehicles

SEC. 4. *And provided further*, that the trustees of consolidated school districts shall require contracts with persons whom shall be of reputable character elected as drivers of vehicles used to transport children to school at the expense of the district. Such contracts shall state the time of the arrival at and the departure from the schoolhouse each day, the time such person is to act as driver of such vehicle unless released by agreement, the compensation of the driver and any other details that the trustees may designate. Before any driver of any school vehicle shall begin the duties of that position he shall furnish a bond of an amount equal to his total wages for the current term of school in which he shall be hired, which bond shall insure the faithful performance of his contract.

Bond  
required  
of drivers

Funds for  
transporta-  
tion of  
children

SEC. 5. To obtain funds for such transportation, the trustees shall, each year, make an estimate of the amount of money necessary to maintain such transportation for that year or for the next ensuing year or for both, and shall certify the amount to the county commissioners, who shall ascertain the necessary percentage on the property in said district as shown by the last assessment made thereof after equalization to raise the amount of money certified to and shall add it to the next county



tax to be collected on the property aforesaid; and the same shall be paid into the county treasury in favor of said district and be kept as a separate fund to be known as Consolidated School District No.-----Transportation Fund, to be drawn only for purposes of transportation of school children to and from school, and in the same manner as is now provided by law for drawing other school moneys; *provided*, that if the trustees shall certify to the county commissioners that such money is necessary for immediate use, the tax provided for in this section shall be due and payable to the treasurer of the county in the same manner as are all other taxes. Proviso

SEC. 6. The trustees of any school district, other than a consolidated district, shall provide transportation to and from school for all children living one mile or more therefrom in the manner provided in sections four and five of this act, if at any regular or special election held in the district the proposition of providing transportation for pupils to and from schools shall have been submitted to the qualified voters of the district and a majority of the votes cast shall have favored such transportation. Certain children provided with transportation

SEC. 7. In apportioning county and state school moneys to a consolidated school district the superintendent of public instruction shall apportion such moneys in the following manner: Public moneys, how apportioned to consolidated districts

First—He shall ascertain from former records of the state or the county in which such consolidated district is located the number of districts that united to form the consolidated district, and the exact number of census children in all of those districts at the time of the annual school census last preceding the date of the consolidation. The number of census children thus found shall constitute the basis upon which such consolidated district shall receive its share of sixty per cent of the county school fund, and thirty per cent of the state school fund at all apportionments of state and county school moneys until the next regular school census is taken. Thereafter at each apportionment such consolidated district shall receive its share of sixty per cent of the county school fund, and thirty per cent of the state school fund upon the basis of the actual number of census children in such district as shown by the last preceding school census.

Second—In determining the number of teachers that the consolidated district is entitled to receive state and county school moneys upon according to the law governing the apportionment of state and county school moneys to the several school districts of the state, the superintendent of public instruction shall determine the number of teachers that constituted the basis for apportioning state and county school moneys to each of the districts that united to form the consolidated district at the time of the apportionment of state and county school moneys last preceding the date of the consolidation. He shall determine the number of teachers that shall constitute the basis for apportioning state and county school Same

Public  
moneys, how  
apportioned

moneys to any consolidated district by adding together the teachers thus found in the several districts that united to form the consolidation district; *provided*, that if at any future time the number of children in the consolidated district shall become such as to allow a larger number of teachers for apportionment purposes, according to the law governing such matters in other school districts of the state, the superintendent of public instruction shall apportion state and county school moneys to such consolidated district upon the actual number of teachers as determined by the general law of apportionment of state and county school moneys.

Funds to  
accrue to  
consolidated  
district

SEC. 8. All state and county school funds remaining to the credit of school districts that have become disorganized by uniting to form a consolidated district shall accrue to and be placed to the credit of the consolidated district of which the disorganized districts form a part.

Old debts,  
how  
disposed of

SEC. 9. If any school district uniting to form a consolidated district shall have, at the time of its disorganization, a legally bonded indebtedness, such indebtedness shall attach to and become a charge against the territory comprised in the consolidated district, and it shall be the duty of the county commissioners of the county in which such territory is located to cause annually to be levied upon the property, real and personal, in such consolidated district, a tax sufficient to meet the interest and provide a sinking fund for the payment of such indebtedness.

Property  
accrues to  
new district

SEC. 10. The school property of the disorganized districts shall, upon the organization of the consolidated district, be and become the property of the said consolidated district and the board of trustees of said district is hereby authorized to use said property in carrying out the school work of the consolidated district or to sell or dispose of it in the manner now provided by law for the disposition of school property and for the best interests of the said district.

School law  
to govern

SEC. 11. In all matters relating to consolidated school districts, not provided for in the preceding sections of this act, the law relating to other school districts shall be in force where said laws are applicable.

Certain old  
districts  
entitled to  
privileges of  
this act

SEC. 11A. All school districts in the State of Nevada that shall have been transporting school children to the schoolhouse at the expense of the school district at the time of the passage of this act shall be entitled to all the privileges given in this act to consolidated school districts, and after the passage of this act such districts as were transporting children to a school at the expense of the district at the time of the passage of this act shall thereafter be designated as consolidated districts, and shall come under all the rules, laws and regulations of this act.

Repeal

SEC. 12. All acts and parts of acts in so far as they conflict with the provisions of this act are hereby repealed.



CHAP. 30—*An Act to amend section 253 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, and as amended March 21, 1913.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 253 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, and as amended March 21, 1913, is hereby amended so as to read as follows:

Section 253. It shall be unlawful for any person to deal, play or carry on, open or conduct in any capacity whatever, any game of faro, monte, roulette, lansquenet, rouge et noir, rondo, tan, fan-tan, seven-and-a-half, twenty-one, hokey-pokey, craps, klondyke, or any banking or percentage game played with cards, dice, or any device, for money, property, checks, credit, or any representative of value; or any gambling game in which any person keeping, conducting, managing or permitting the same to be carried on receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, carrying on or permitting the said game to be carried on; or to play, maintain or keep, any slot machine played for money or for checks or tokens redeemable in money, or to buy, sell, or deal in pools, or make books on horse-races, save and except that any and all racing associations and corporations which shall obtain license to conduct race meetings in the State of Nevada, pursuant to law, may carry on and permit within the inclosure where horse-racing is held, betting upon the races conducted within said inclosure by and through the paris mutual system of betting; and any person who violates any of the above provisions shall be guilty of a felony, and upon conviction thereof shall be imprisoned in the state prison for a period of not less than one year nor more than five years. Every person who shall play at any game whatsoever, other than those hereinabove excepted, for money, property or gain, with cards, dice or any other device which may be adapted to or used in playing any game of chance, or in which chance is a material element, or who shall bet or wager on the hands or cards or sides of such as do play as aforesaid, shall be deemed guilty of a misdemeanor; *provided, however,* that nothing in this paragraph shall be construed as prohibiting social games played only for drinks and cigars served individually, or for prizes of a value not to exceed two dollars, nor nickel-in-the-slot machines for the sale of cigars and drinks and no play-back allowed.

Amending crimes and punishments act

Certain gambling games prohibited

Certain horse-races included

Penalty—misdemeanor

Certain social games excepted

**CHAP. 31—An Act to amend section thirteen of an act entitled “An act to regulate banking, and other matters relating thereto,” approved March 22, 1911.**

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
banking act

SECTION 1. Section 13 of an act entitled “An act to regulate banking and other matters relating thereto,” approved March 22, 1911, is hereby amended to read as follows:

Banks  
prohibited  
from invest-  
ing capital in  
certain ways

Section 13. No bank shall employ its moneys, directly or indirectly, in trade or commerce by buying or selling goods, chattel wares, or merchandise, and shall not invest any of its funds in the stock of any bank or trust company or corporation, nor make any loans or discounts upon the security or the shares of its own capital stock, nor be the purchaser or holder of any such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, and stock so purchased or acquired shall, within twelve months from the time of its purchase, be sold or disposed of at public or private sale; after the expiration of twelve months any such stock shall not be considered as part of the assets of any bank or trust company; *provided, however*, that nothing in this section nor in this act shall be deemed to prohibit banks from subscribing to, purchasing, or becoming the owners of stock in federal reserve banks as established by act of Congress of the United States, approved December 23, 1913, or any branch thereof; and all banks doing business under and by virtue of the laws of this state are hereby expressly permitted and authorized to subscribe for and purchase stock of federal reserve banks and become members of any reserve bank; *provided further*, that any bank may sell or become the owner of any property which may come into its possession as collateral security for any debt or obligation due it, according to the terms of any contract depositing such collateral security, and if there be no such contract, then collateral security may be sold in the manner provided by law.

Does not  
preclude  
banks from  
investing in  
federal  
reserve  
banks

Bank may  
sell any  
collateral  
security

**CHAP. 32—An Act amending section 354 of an act entitled “An act concerning crimes and punishments, and repealing certain acts relating thereto,” approved March 17, 1911; effective January 1, 1912.**

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
crimes and  
punishments  
act

SECTION 1. Section 354 of an act entitled “An act concerning crimes and punishments, and repealing certain acts relating thereto,” approved March 17, 1911; effective January 1, 1912, is hereby amended so as to read as follows:

Section 354. Every—

1. Idle or dissolute person, without visible or known means of living, who has the physical ability to work, and who does not for the space of ten days make proper inquiry for, and use due diligence to seek, employment or labor, when employment is offered him; or

Defining  
"vagrant"

2. Idle or dissolute person who roams about the country from place to place without any lawful business; or

3. Healthy beggar who solicits alms as a business; or

4. Person who makes a practice of going from house to house, begging food, money, or other articles, or seeks admission to such houses upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises; or

5. Idle or dissolute person or associate of known thieves who wanders about the streets at late or unusual hours of the night, or prowls around dark alleys, by-ways, and other dark or unfrequented places at any hour of the night without any legitimate business in so doing; or

6. Idle or dissolute person who lodges in any barn, shed, shop, outhouse, or place other than that kept for lodging purposes, without the permission of the owner or person entitled to the possession thereof; or

7. Common drunkard who is in the habit of lying around the streets, alleys, sidewalks, saloons, barrooms, or other public places in a state of intoxication; or

8. Pimp, panderer, procurer, or procuress; or

9. Male person who lives in and about houses of prostitution, or solicits for any prostitute or house of prostitution; or

10. Female person known as a "street walker," or common prostitute, who shall, upon the public streets, or in or about any public place or assemblage, or in any saloon, barroom, clubroom, or any other public or general place of resort for men, or anywhere within the sight or hearing of ladies or children, conduct or behave herself in an immodest, drunken, indecent, profane, or obscene manner, either by actions, language, or improper exposure of her person; or

11. Boy or male person under the age of twenty-one years, who habitually remains away from his home or place of residence after the hour of 9 o'clock p.m., without some lawful and necessary business, or other imperative duty, or good and sufficient reason or cause for such absence from home after such hour, or his own amusement and pastime, without any legitimate business for so doing, frequents and passes his time in any billiard-room or other place where any such games are played, or any saloon or other place where intoxicating liquor is sold or drank; or who at any hour of the night or day, for his own amusement and pastime, without any legitimate business for so doing, frequents or loafs around any low den, house, or other place of vice, infamy, or immorality, where known

Defining  
"vagrant"

thieves and other vicious and infamous persons resort or congregate; or who at any hour of the night, either alone or otherwise, prowls about the streets or town, disturbing the peace and quiet of the neighborhood by loud or unnecessary noise, or committing petty depredations, tricks or pranks, upon the person or property of other people, or by abusive, obscene, or insulting language, or by any manner of rowdyism whatsoever, disturbs or annoys the passersby, any lawful assemblage of persons, or the neighborhood at large; or

12. Person who keeps a place where lost or stolen property is concealed; or

13. Person who solicits or procures, or who attempts to solicit or procure, money, or other thing of value, by falsely pretending or representing himself or herself to be blind, deaf, dumb, without arms or legs, or to be otherwise physically deficient or suffering any physical defect or infirmity—

Penalty

Is a vagrant, and shall be punished by imprisonment in the county jail for not more than three months, or by a fine of not more than three hundred dollars, or both.

Repeal

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 33—*An Act to amend section two of an act entitled "An act for the incorporation of the Protestant Episcopal churches in the United States of America in the Territory of Nevada," approved December 19, 1862.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Vestrymen  
in Protestant  
Episcopal  
church,  
how elected

SECTION 1. Section 2 of an act entitled "An act for the incorporation of the Protestant Episcopal churches in the United States of America in the Territory of Nevada," approved December 19, 1862, is hereby amended so as to read as follows:

Section 2. It shall be lawful for all persons, over the age of eighteen years, of any church or congregation in communion with the Protestant Episcopal church, in this territory, who shall have belonged to such church or congregation for the last six months preceding such election, and who shall have been baptized in the Episcopal church, or who shall have been received therein, either by the rite of confirmation, or by receiving the holy communion, or by purchasing or hiring a pew or seat in said church, or by some joint act of the parties and of the rector whereby they shall have attached themselves to the Protestant Episcopal church, and who are not already incorporated, at any time to meet for the purpose of incorporating themselves under this act, and by a majority of voices, to elect two church wardens, and not less than three nor more than twelve vestrymen, and to determine upon what day of

the week called Easter week the said officers, called church wardens and vestrymen, shall annually thereafter cease, and their successors in office be chosen; of which first election notice shall be given, in the time of morning service, on two Sundays previous thereto, by the rector; or, if there be none, or he be necessarily absent, then by any other person belonging to such church or congregation, and the said rector, or if there be none, or he be necessarily absent, then any other person called to the chair shall preside at such first election, and, together with two other persons duly selected, shall make a certificate, under their hands and seals, of the church wardens and vestrymen so elected, of the day of Easter week so fixed upon for the annual election of their successors, and of the name or title by which such church or congregation shall be known in law; which certificate being duly acknowledged and proved by one or more of the subscribing witnesses, before the judge of any court of competent jurisdiction in the county where such church or place of worship of such congregation shall be situated, shall be recorded in the office of the recorder of such county. Nothing in this act shall be held to exclude women, qualified as aforesaid, from serving as members of the vestry; *provided*, that not more than one-half of the membership of the vestry may be women.

Time,  
Easter week

Women may  
be elected

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CHAP. 34—*An Act to amend an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 105 of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907, shall be and the same is hereby amended so as to read as follows, to wit:

Cities may be  
disincorporated at  
referendum  
election

Section 105. Whenever one-fourth of the legal voters of any city now existing or hereafter created, whether by general or special law, shall petition the district court in and for the county wherein such corporation is situated for the disincorporation of said city, it shall cause to be published, for at least thirty days, a notice stating the question of disincorporating such corporation will be submitted to the legal voters of the

**Ballot** same at the next municipal election, and the form of the ballot shall be "For Disincorporation" or "Against Disincorporation." Not more than one of such elections shall be held in two years.

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CHAP. 35—*An Act to amend section three of an act entitled "An act concerning wills," approved December 19, 1862.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 3 of the above-entitled act is hereby amended to read as follows:

**What  
constitutes  
a valid will**

Section 3. No will, executed in this state, except such nuncupative wills as are mentioned in this act and except such holographic wills as are mentioned in an act entitled "An act relating to holographic wills," approved March 20, 1895, shall be valid, unless it be in writing, and signed by the testator, or by some person in his presence, and by his express direction, and attested by at least two competent witnesses, subscribing their names to the will in the presence of the testator.

**In effect**

SEC. 2. This act shall take effect immediately.

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CHAP. 36—*An Act relative to wills executed without this state, and to promote uniformity among the states in that respect.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**When wills  
are deemed  
legally  
executed**

SECTION 1. A last will and testament, executed without this state in the mode prescribed by the law, either of the state where executed, or of the testator's domicile, shall be deemed to be legally executed, and shall be of the same force and effect as if executed in the mode prescribed by the law of this state; *provided*, said last will and testament is in writing and subscribed by the testator.

**Uniformity  
with laws of  
other states**

SEC. 2. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**In effect**

SEC. 3. This act shall take effect immediately.

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CHAP. 37—*An Act to regulate the salary and compensation of the justices of the peace and constables in the county of Elko, State of Nevada.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. On petition to the board of county commissioners of Elko County, Nevada, of sixty per cent of the qualified voters of any precinct in the county of Elko, State of Nevada, said number to be determined from the list of registered voters who registered for the last preceding general election, the said board of county commissioners shall place the offices of justice of the peace and constable within that precinct on a salary basis; the justice of the peace to receive not to exceed fifty (\$50) dollars per month, and the constable not in excess of seventy-five (\$75) dollars per month, to be paid out of the general fund of said Elko County; *provided, however*, that nothing in this act shall apply to precincts in which the registration is less than one hundred voters, or affect present officers whose salary is fixed by legislative enactment.

Justices of the peace and constables, Elko County, salaries

Exceptions

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 38—*An Act to amend sections 2, 3, and 5 of article III, sections 3, 4, 5, 7, and 10 of article XII, section 1 of article XVI, and section 1 of article XIX of an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, as amended March 13, 1905, and further amended on March 28, 1907, March 24, 1909, March 31, 1909, February 1, 1911, March 10, 1911, March 18, 1911, March 24, 1913, and March 25, 1913.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of article III of said act is hereby amended so as to read as follows:

Amending Reno charter

Section 2. The mayor, with the city clerk, or some member of the city council, may, alone or in conjunction with the board of county commissioners of Washoe County, at least once each month, count the cash in the city treasury and see that such count corresponds with the books of the treasurer and auditor, and report the result to the city council. He shall see that all contracts are faithfully kept and fully performed, and to that end, and in any case where necessary or proper to protect the interests of the city, shall cause legal proceedings to be instituted or defended. He shall have the power to suspend any appointive officer for dereliction, neglect, or nonperformance

Various duties of mayor

of duty, and report such action and cause therefor to the city council at the first subsequent regular meeting, and if the city council by a majority vote of all the members elected approve the suspension, such office shall be declared vacant. If a majority vote of all the members elected be against such approval, such suspension shall be revoked.

SEC. 2. Section 3 of said article III is hereby amended so as to read as follows:

Mayor's  
duties

Vote in case  
of tie

Veto power

Section 3. The mayor shall preside over the city council when in session and shall preserve order and decorum among the members and enforce the rules of the city council, and determine the order of business, subject to such rules, and to appeal to the city council. He shall not be entitled to a vote except in case of a tie, when he shall have a casting vote. The mayor may exercise the right of veto upon all matters passed by the city council and it shall require a three-fourths vote of all the members elected to the city council to pass any matter receiving the mayor's veto. No resolution or contract requiring the payment of money, or any ordinance, shall go into force or have any effect until approved by the mayor; *provided*, if the mayor do not approve such resolution, contract, or ordinance so submitted, he must, within five days from the receipt thereof, return the same to the city clerk with his reasons in writing for not approving it, and if the mayor do not so return it, such resolution or contract shall thereupon go into effect and such ordinance become a law in like manner and with the same effect as if the same had been approved by the mayor.

SEC. 3. Section 5 of said article III is hereby amended so as to read as follows:

Mayor  
nominates  
appointive  
officers

Section 5. The mayor shall, subject to confirmation by the city council, appoint all officers of the city whose election or appointment is not otherwise provided for in this charter or by law. The mayor must nominate such appointments to the city council at the first subsequent meeting, and in case the person so nominated is not confirmed by a majority vote of all the members elected, the mayor shall nominate another, and so on until the place is filled.

SEC. 4. Section 3 of article XII of said act is hereby amended so as to read as follows:

Vacancies,  
councilmen,  
how filled

Section 3. Any vacancy occurring in the office of councilman shall be filled by the mayor and city council at the first regular meeting after such vacancy, when the mayor shall, subject to confirmation by the city council, appoint some person possessing the requisite qualifications as hereinbefore prescribed, and in case the person so nominated is not confirmed by a majority vote of all the members elected, the mayor shall nominate another and so on until the place is filled. The person so appointed shall hold said office until the election and qualification of a councilman therefor at the next general city election; *provided*, that if a vacancy

Proviso



shall occur at any time during the first two years of any four-year-term councilman, the mayor and city council shall elect some person possessing the requisite qualifications, to fill such office until the next general city election and until his successor is elected and qualified, at which said election the electors of the ward for which such vacancy occurred shall elect some person possessing the requisite qualifications, who shall serve out the balance of the term, as provided in the preceding section.

SEC. 5. Section 4 of article XII of said act is hereby amended so as to read as follows:

Section 4. A majority of all the members elected to the city council shall constitute a quorum to do business, but a less number may meet and adjourn from time to time and, with the approval of the mayor, compel the attendance of the absent members. The city council may adopt rules for the government of its members and proceedings. It must keep a journal of all its proceedings and upon the call of any one member, or the mayor, must cause the ayes and nays to be taken and entered in its journal upon any question before it. Its deliberations, sessions, and proceedings must be public. The councilmen shall each receive a salary of six hundred dollars per annum from and after this act goes into effect.

Quorum  
of city  
council

Salary of  
councilmen

SEC. 6. Section 5 of article XII of said act is hereby amended so as to read as follows:

Section 5. The city council shall hold its regular meetings on the second and fourth Mondays of each month and shall continue in session until the unfinished business of each regular meeting shall have been fully and finally disposed of as far as practicable. Special meetings may also be held on a call of the mayor, or by a majority of all the members elected to the city council; *provided*, that no ordinance shall be read or passed, or any claim allowed at such special meeting; *and provided further*, that no business shall be transacted at such special meeting except such as shall be stated in the call therefor.

Regular and  
special  
meetings

SEC. 7. Section 7 of article XII of said act is hereby amended so as to read as follows:

Section 7. The style of ordinances shall be as follows: "The City Council of the City of Reno do ordain," and all proposed ordinances, when first proposed, shall be read aloud, in full, to the city council, and then laid over until the next regular meeting for adoption or rejection. All ordinances shall be signed by the mayor and be published in full, together with the votes cast thereon, in some daily newspaper published in the city, for the period of at least one week, before the same shall go into effect, except as provided in section 10, subdivision second, article XII, of this charter.

Ordinances  
must be  
published

SEC. 8. Section 10 of article XII of said act is hereby amended so as to read as follows:

Section 10. The city council, among other things, shall have power:

Duties  
of city  
council

First—To fix the place of its meetings and the time for calling same to order, and to judge of the qualifications and election of its own members.

To pass  
ordinances,  
etc.

Second—To make and pass all ordinances, resolutions, and orders, not repugnant to the constitution of the United States, or of the State of Nevada, or to the provisions of this charter, necessary for the municipal government and the management of the city affairs, for the execution of all the powers vested in said city, and for making effective the provisions of this charter, and to cause to be compiled from time to time, not to exceed once in every two years, the charter and its amendments and the ordinances of the city of Reno in book or pamphlet form, of which not less than two hundred copies shall be issued for general distribution within said city, at a reasonable price, in which said compilation the ordinances of the said city once passed and published as provided in section 7 of this article may be repealed, revised, amended, and validated without further publication.

Ordinances  
to be  
printed

Tax for  
sewage-  
disposal  
plant

Fund for  
interest and  
redemption  
of bonds

Third—To levy and collect annually for general purposes a tax of not to exceed three-quarters of one per cent upon the assessed value of all real and personal property within the city, and which is by law taxable for state and county purposes, fifteen per cent of which shall be set aside in a special fund to provide for a sewage disposal plant or system for the city, and for no other purpose, until such time as said sewage plant or system shall be actually installed and paid for; and in addition thereto to levy and collect annually a tax of not to exceed one-quarter of one per cent upon the assessed value of all real and personal property within the city, and which is by law taxable for state and county purposes, to provide a fund for the payment of the interest on the bonds of the city outstanding, and that may be lawfully issued and sold hereafter, and to provide a fund for the payment of the principal of such bond, and for the redemption thereof as they shall mature, and for no other purpose.

Concerning  
city property

Fourth—To sell, use, lease, improve, hold, and take care of the real estate and personal property of the city; *provided*, the city council shall not have power to mortgage, hypothecate, or pledge any property of the city for any purpose.

Concerning  
streets,  
alleys, etc.

Fifth—To lay out, extend, change the grade, open, vacate, and alter the streets and alleys within the city, and by ordinance require and provide for the macadamizing, oiling, curbing, graveling, grading and regrading, paving, draining, cleaning, repairing, lighting, surfacing and resurfacing and widening any highway, street, or alley, or otherwise improving same; also to provide by ordinance the improvement and preservation of the city parks, and the construction, repair, and preservation of the sidewalks, crossings, bridges, drains, curbs, gutters, and sewers; for the prevention and removal

of obstructions from the streets and sidewalks of the city; and to regulate and prohibit the placing of signs, awning posts, show windows, and other things upon and over the sidewalks, and regulate and prohibit the construction and use of openings in the streets and sidewalks, and all vaults, structures, and excavations in and under the same, and to prevent, prohibit, and remove all obstructions and nuisances upon the sidewalks, streets, and alleys within the city limits; and for that purpose and for the purpose of defraying the expense thereof, may divide the city into districts. Such part of the expenses of improving any streets, lanes, avenues, or alleys by grading, paving, graveling, curbing, constructing sidewalks, or otherwise improving the same, as the city council shall determine, may be paid from the general fund, street fund, or district street fund, from the proper street district, or the said cost, or a portion thereof, as the city council shall determine, may be defrayed by special assessments upon lots and premises fronting upon that part of the street or alley so improved or proposed so to be, or the lands fronting upon such improvement and such other lands as in the opinion of the city council may be benefited by the improvement. When the city council shall determine to make any public improvements, such as laying pavements, constructing sewers, drains, or sidewalks and curbing, macadamizing, oiling, graveling, or grading any streets or alleys, or in any way improving the same, and defray the whole or any part of the costs or expenses thereof by special assessment, they shall so declare by ordinance, stating the improvements and what part or portion of the expenses thereof shall be paid out of the general fund, street fund, district street fund or any other fund. When expenses for such improvements or repairs shall be assessed, and there shall be lands belonging to the city, school buildings, or other public building or public grounds not taxable, fronting on such improvements, such part of the expense of such improvement as in the opinion of the city council, or assessor making such special assessment would be justly apportionable to such public grounds, buildings, and city property, and to any interior, squares or spaces formed by the intersection of streets where they are taxable, shall be paid from the general fund, or from the proper street or district street fund, or part from each, as the city council shall determine to be just, and the balance of such expense shall be assessed upon the taxable lots and premises fronting upon such improvement or improved streets, in proportion to their number of feet frontage; or, if the special assessment shall include other lands not fronting upon the improvement, then upon all land included in such special assessment, in proportion to the estimated benefits resulting thereto from the improvement. When such assessment is to be made upon lots in proportion to their frontage upon the improvement, if from the shape or size of any lot, the assessment thereon in proportion to its frontage would be unjust

Expenses,  
how paid

Improvements  
declared by  
ordinance

Assessment,  
how  
determined

City public  
buildings

Special  
assessments,  
when

Estimates of  
expense by  
city  
engineer

and disproportionate to the assessment upon other lots, the city council, or assessor making the assessment, may assess such lots or such number of feet frontage as in their opinion would be just. The cost and expense of the following improvement, including the necessary land therefor, viz., for city hall and other public buildings for the use of the city, officers, engine-houses and structures for the fire department, water-works, city prison, levees and embankments, shall be paid from the proper general fund of the city; except that, in case of lands appropriated for streets and rights of way, the cost thereof may be paid in whole or in part from the avails of special assessment to be levied therefor in the manner herein prescribed. Whenever, in the opinion of the city council, the benefits thereof are special rather than general or public, when by the provisions of this act the cost and expense of any local improvements may be defrayed in whole or in part by special assessment upon the lands fronting and adjacent to or otherwise benefited by such improvement, such assessment may be made in the manner hereinafter specified. When the city council shall determine to make any public improvements or repairs, in the laying of pavements, or constructing sidewalks, or in any way improving the streets in the city, and defray the whole or any part of the cost and expenses thereof by special assessments, they shall so declare by ordinance, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part, if any, has been appropriated from the general fund of the city, or from the street funds, or district street funds, and whether the assessment is to be made according to benefits or frontage, and in case the assessment is to be made according to benefits they shall by apt description designate the district, if a special district is set apart therein, including the lands to be so assessed; or in case there is no district so set apart they shall describe definitely the location of the improvement, and state that the assessment is to be made upon all the lands benefited thereby according to benefit; but in case the assessment is to be upon the property according to the frontage, it shall be sufficient in said ordinance to so state with a definite location of the improvements to be made. It shall not be necessary in any case to describe minutely in the ordinance each particular lot to be assessed, but simply to so designate the property, district, or the location that the various parts to be assessed can be ascertained and described by the city assessor. Before ordering any public improvement or repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the city council shall cause estimates of the expense thereof to be made by the city engineer, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and deposit the same with the city clerk for public examination; and they shall give notice thereof and of the proposed improvement or work and

of the location of the improvement and of the district to be assessed, by publication for two weeks at least in one of the newspapers of the city, by posting printed notices of the same in at least three of the most public places in each ward, and also a notice in or near each postoffice of said city, and three notices near the site of the proposed work in some public and conspicuous place, and of the time when the city council will meet and consider any suggestions and objections that may be made by parties interested with respect to the proposed improvements. Unless a majority of the persons to be assessed shall petition therefor, no such improvement or work shall be ordered except by the concurrence of two-thirds of all the members elected to the city council. In all cases where the board of health or other officials of the city or the city council are authorized to so do, or cause to be done, certain things, the whole or any part of which may be charged as a special assessment upon the property, and where special provisions for making the levy are not herein made, the city council may cause sworn statements of the cost thereof, and of the location thereof, to be made as provided in the last paragraph, and may at their option refer the same to the city assessor and have the same assessed against such property. The cost and expenses of any improvement which may be defrayed by special assessments shall include the cost of surveys, plans, assessments, and cost of construction. In no case shall the whole amount be levied by special assessment upon any lots or premises where any one improvement exceeds twenty per cent of the value of such lands as last before valued and assessed for state and county taxation in the county tax roll. Any cost exceeding that per cent which would otherwise be chargeable upon said lots or premises shall be paid from the general funds of the city. The city council shall prescribe the fees and compensation that may be charged in the work of making any special assessment as part of the assessment. No contract for doing the work or making the improvement contemplated herein shall be made or awarded, nor shall the city council incur any expense or liability in relation thereto until after the notice and hearing provided for herein shall have been given or had. But nothing herein contained shall be construed as preventing the city council from advertising for proposals for doing the work whenever they see fit, provided the contract shall not be made or awarded before the time herein stated. When any special assessment is to be made pro rata upon the lots or premises in any special assessment district, according to frontage or benefits, the city council shall, by ordinance, direct the same to be made by the city assessor, and shall state therein the amount to be assessed, and whether according to frontage or benefits, and describe or designate the lots and premises, or the locality constituting the district to be assessed; in fixing the amount or sum of money that may be required to pay the costs of any improvement, the city council need not necessarily be governed

Notices of  
improve-  
ments to be  
posted

Cost of  
improve-  
ments  
limited

Contracts,  
when



Duties of  
city  
assessor

Proviso

City  
assessor  
to report to  
city council

Form of  
report

by the estimates of such improvement provided for herein, but the city council may decide upon such other sum, within the limitations described, as they may deem necessary to cover the cost of such improvement. Upon receiving such order and directions the city assessor shall make out an assessment roll, entering and describing all lots, premises, and portions of land to be assessed with the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon and against such persons the amount to be assessed in the manner directed by the city council and the provisions of this act applicable to the assessment; *provided*, in all cases where the ownership thereof is unknown to the assessor he shall, in lieu of the name of the owner, insert the name "unknown"; *provided also*, if by mistake or otherwise any person shall be improperly designated as the owner of any lot or premises, or if the same shall be assessed without the name of the owner, or the name of the person other than the owner, such assessment shall not for any cause be vitiated, but shall in all respects be as valid upon and against such lot, parcel of land, or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed and recorded, shall be a lien on such lot, parcel of land, or premises, and collected as in other cases. If the assessment is required to be according to the frontage, the city assessor shall assess each lot or parcel of land or such relative portion of the whole amount to be levied, as the length of front of such premises fronting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the shape or size of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the city assessor. If the assessment is directed to be according to benefits, the city assessor shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement. When the assessor shall have completed the assessment he shall report the same to the city council. Such reports shall be signed by him and made in the form of a certificate and endorsed on the assessment roll as follows:

State of Nevada, City of Reno, ss. To the City Council of the City of Reno: I hereby certify and report that the foregoing is the assessment roll, and the assessment made by me pursuant to an ordinance of the city council of the said city, adopted (give date), for the purpose of paying that part of the cost which the city council decided should be paid and borne by special assessment for the purpose of paying the costs of (e. g.) for paving Virginia street from First street to Fourth street in said city (as the case may be), (or constructing a sewer on Sierra street), (or as the case may be). That in making such assessment, I have as near as may be and accord-

ing to my best judgment conformed in all things to the directions contained in the ordinance of the city council hereinbefore referred to, as well as to the charter of the city relating to such assessment.

Dated Reno, Nevada,....., A. D. 19.....

....., City Assessor.

When any expense shall be incurred by the city upon or in respect to any separate or single lot, parcel of land, or premises which, by the provisions of this act, the city council is authorized to charge and collect a special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land, an account of the labor or services for which such expense was incurred, verified by the officer or person performing the services, or causing the same to be done, with a description of the lot or the premises upon or in respect to which the expense was incurred, or the name of the owner or person, if known, chargeable therewith, shall be reported to the city council in such manner as the city council shall present. And the provisions of the previous subdivisions with reference to special assessments generally and the proceedings necessary to be had before making the improvement, shall not apply to the assessments to cover the expense incurred, in respect to that class of improvements contemplated in this subdivision.

Expenses,  
how met

The city council shall determine what amount or part of every expense shall be charged and the person, if known, against whom and the premises upon which the same shall be levied as a special assessment; and as often as the city council shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises and the persons chargeable therewith respectively to be reported by the city clerk to the city assessor for assessment.

Council to  
determine  
pro rata of  
expenses

Upon receiving the report mentioned in the preceding subdivision the city assessor shall make a special assessment roll and levy a special assessment therein upon each lot or parcel of land so reported to him and against the person chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid to be levied upon each of such lots or premises, respectively, and when completed he shall report the assessment roll to the city council. When any special assessment shall be reported by the city assessor to the city council as in this section and subdivision directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment the city council shall cause notice to be published for two weeks at least in some newspaper of the city of the filing of the same with the city clerk, and appointing a time when the city council and assessor will meet to review the assessments. Any person objecting to the assessment may file his objections thereto in writing with the city clerk. The notice provided for in this

City  
assessor  
to make  
special  
assessment  
roll

subdivision may be addressed to the persons whose names appear upon the assessment roll and to all others interested therein, and may be in the following form:

### Notice of Special Assessment

Notice of  
special  
assessment

To (insert the names of the persons against whom the assessment appears) and to all persons interested, take notice: That the roll of the special assessment heretofore made by the city assessor for the purpose of defraying that part of the costs which the city council decided should be paid and borne by special assessment for the (e. g., paving Virginia street to Fourth street in said city), (or constructing a sewer on Sierra street between First street and Fifth street), or (as the case may be), is now on file at my office for public inspection. Notice is hereby given that the city council and city assessor of the city of Reno will meet in the council room in said city on (insert the date fixed upon), to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Dated.....City Clerk.

Assessment  
reviewed

At the time appointed for the purpose aforesaid the city council and city assessor shall meet and there, or at some adjourned meeting, review the assessment; and shall hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide upon the same; and the city council may correct the same as to any assessment or description of the premises, appearing therein, and may confirm it as reported or as corrected, or they may refer the assessment back to the city assessor for revision; or annul it and direct a new assessment; in which case the same proceedings shall be had as in respect to the previous assessment. When a special assessment shall be confirmed the city clerk shall make an endorsement upon the roll showing the date of confirmation which shall be in the following words: "Special assessment roll for (describing fully what the assessment is for), as approved by the city council, the ..... day of ..... (month), 19.... (affixing the time).

Clerk's  
certificate

Dated.....City Clerk."

Two-thirds  
vote  
necessary  
for con-  
firmation of  
assessment

Sixth—When any special assessment roll shall be confirmed by the city council it shall be final and conclusive except as hereinafter provided; but no such assessment shall be confirmed except by a two-thirds vote of all the members elected to the city council. The city clerk and clerk of the city council shall thereupon deliver to the county auditor, acting ex officio city auditor, the assessment roll as confirmed by the city council, with his certificate of such confirmation, and of the date thereof. The county auditor, acting ex officio city auditor, shall thereupon, without extra compensation, record such assessment roll in his office, in a suitable book to be kept for that purpose, and append thereto his certificate



of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such assessment roll. Said roll when so endorsed and recorded shall be *prima facie* evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof and of the validity of said assessment and assessment roll.

Assessment  
roll  
*prima facie*  
evidence

All special assessments shall, from the date of recording thereof, constitute a lien upon the respective lots or parcels of land assessed and shall be charged against the persons and properties until paid. Upon the confirmation and recording of any assessment the amount thereof may be divided into not more than ten installments, one of which installments to be collected yearly, in a manner hereinafter prescribed, with annual interest thereon at a rate not exceeding seven per cent.

Assessments  
lien on lands

All special assessments, except such installments thereof as the city council shall make payable at a future time, shall be due and payable upon recording, and suit may be commenced for the collection thereof in the name of the city of Reno in the same manner as any other action for money owed the city of Reno; *provided*, the court shall order the property, or sufficient thereof to cover the amount of judgment and costs, sold, and the proceedings in said action, where the same are not inconsistent, shall be the same as is provided in the civil practice act of the State of Nevada, and whenever and wherever the words justice court, justice of the peace, and constable are used in said civil practice act the same shall be held to mean police court, police judge, and chief of police, respectively, for the purposes of said action.

Assess-  
ments,  
when  
payable

Should any lots or lands be divided after a special assessment thereon shall have been confirmed, and divided into installments, and before the collection of the installments, the city council may require the city assessor to apportion the uncollected amounts upon the several parts of lands so divided. The report of such apportionment when confirmed shall be conclusive on all the parties, and all assessments thereafter made upon such lots or lands shall be according to such subdivision.

Assessor to  
apportion  
amounts,  
when

Should any special assessment prove insufficient to pay for the improvement or work for which it is levied, and the expense incident thereto, the amount of such deficiency shall be paid from the general fund in the treasury of the city; and in case a greater amount shall have been collected than was necessary the excess shall be refunded ratably to those by whom it was paid.

Deficit or  
surplus of  
assessment,  
how  
adjusted

Whenever any special assessment shall, in the opinion of the city council, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessments to be illegal, the city council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same

New  
assessment,  
when

purpose for which the former assessment was made. All of the proceedings for such reassessment and for the collection thereof shall be conducted in the same manner as provided for special assessment in this act.

Whenever any sum or any part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises; and the assessment to that extent be deemed satisfied.

Lien of city  
not  
impaired

No judgment or decree nor any act of the city council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same or as by regular mode of proceedings might have been lawfully assessed thereon.

Annual  
installments,  
when

When any special assessment shall be confirmed, recorded, and be payable, and the city council desires to have the same paid in annual installments as hereinbefore provided, the city council may, by resolution, direct the city clerk to report to the city assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each, or the amount of the annual installment with the interest added, and the name of the owner or occupant against whom the assessment was made, and to require the city assessor to levy the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively, and the city council shall annually and at the same time the city tax levy is made continue to so require the city assessor to levy the said installments of special assessments until the whole sum assessed with interest thereon has been paid. Upon receiving such report, the city assessor shall levy the sums therein mentioned upon the respective lots and premises to which they were assessed and against the persons chargeable therewith as a tax in the general assessment roll next thereafter to be made in a column for special assessments, and the county auditor, acting ex officio city auditor, shall extend the same on said roll in the same manner as state and county taxes or assessments are extended, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll by the county tax receiver, acting ex officio city tax receiver, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that nothing in this paragraph set forth shall be construed as preventing the city of Reno from collecting any special assessment by suit in the name of the city of Reno in the manner in this subdivision before contained, and the said special assessment roll and the certified resolution confirming it, as recorded, shall be *prima facie* evidence of the regularity of

Auditor to  
extend roll

Proviso

the proceedings in making the assessment and of the right of the city to recover judgment therefor.

If in any action for the collection of any assessment it shall appear by reason of any irregularity or informality the assessment has not been properly made against the defendant, or the lot or the premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city which is a proper charge against the defendant, or the lot or the premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

Informal-  
ities not to  
vitate tax

The city council of the city of Reno is hereby authorized and empowered to correct or amend the said special assessment roll, by resolution, at any time after confirmation and recording of the same, so as to make it conform to the actual cost of the work for which the same was levied, and all changes in said roll shall be made by resolution, by a two-thirds vote of all the members elected to the city council, and the said resolution, or a copy thereof certified by the clerk of the city council as being a true copy, shall be posted in the said special assessment roll and shall constitute conclusive authority for the change so made.

Council may  
correct  
special  
assessment  
roll

In construing the fifth and sixth powers of section ten, article twelve, anything in this act contrary thereto shall not be deemed in conflict with the provisions of said powers.

Not to  
conflict

Seventh—To organize, regulate, maintain, and disband a fire department, to provide for the extinguishment of fire and protection against the same; to regulate or prohibit the storage of gunpowder or other explosive, combustible, or inflammable material within, or transported through, the city, and to prescribe the distance from said city where the same may be stored, held, or kept; to regulate the selling, using, or keeping of firecrackers, fireworks, and the giving of any exhibition of fireworks within the city limits and any designated portion thereof.

Fire  
precautions

Eighth—To determine, by ordinance, what shall be deemed nuisances, and to provide for the abatement, prevention, and removal of the same by the city or at the expense of the parties creating, maintaining, causing, or committing such nuisances, and to provide for the penalty and punishment of the same.

To define  
nuisances

Ninth—To provide for safeguarding the health of the city. For this purpose, the city council may appoint a city board of health and by ordinance, prescribe its duties and powers, and provide that any violation of any order of the board of health shall be considered a misdemeanor.

Health  
of city

Tenth—To fix, impose and collect a license tax on and to regulate all character of lawful trades, callings, industries, occupations, professions and business, conducted in whole or in part within the city, including all theaters, theatrical or melodeon performances and performances of any, every, and

To collect  
licenses  
on all  
businesses

To collect  
licenses  
on all  
businesses

all kinds for which an admission fee is charged, or which may be held in any house, place, or enclosure where wines, spirituous, malt, vinous, or intoxicating liquors are sold or given away; circuses, shows, billiard tables, pool tables, bowling alleys, and all exhibitions and amusements. To fix, impose, and collect a license tax on and regulate all taverns, hotels, restaurants, chop houses, cafes, saloons, eating-houses, lunch counters, barrooms, lodging-houses accommodating four or more lodgers, manufacturers, laundries, livery stables, sale stables, cattle or horse corrals, express companies, telegraph and telephone companies, oil wells or tanks, oil refineries, tanneries, foundries, brickyards, pressed-brick yards, street railway companies operating in whole or in part within the city. To fix, impose, and collect a license tax on and regulate auctioneers and stock brokers. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress all tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state. To fix, impose, and collect a license tax on, regulate, prescribe the location of, or suppress, all saloons, barrooms, gambling games, tippling houses, dram-shops, any and all places where intoxicating drinks are sold or given away, street fakers, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, phrenologists, pawn shops, pawn brokers, oil wells, oil tanks, oil refineries, soap manufacturers, brickyards, livery, feed, or sale stables, cattle or horse corrals, foundries, and machine shops. To prohibit and suppress all dog-fights, prize-fights, cock-fights, bear, bull, or badger baits, sparring and sparring contests. To regulate, prohibit, prescribe the location of, and suppress, all houses of ill-fame, hurdy-gurdy houses, bawd houses, and any and all places where persons resort to for lewd or lascivious purposes, or purposes of lewdness or prostitution, including dance houses and saloons having special attractions, such as music or otherwise. To fix, impose, and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of any, every, and all kinds, trades and traders of all kinds, hotels, butcher shops, slaughter houses, wood and fuel dealers, coal dealers, sewing machine agents, marble or stone dealers, saddle or harness makers or shops, cigar stores, stationery stores, confectionery stores, newspaper stands, plumbing shops, tin shops when separate from hardware stores, hardware stores, paint or oil stores, bicycle shops, garages, repair shops, cycleries, warehouses, cold-storage plants, daily, weekly, semiweekly, monthly, and semimonthly newspapers or publications, ice peddlers, insurance companies, fire, life, and accident, and agents or solicitors for the same, surety companies, and agents or solicitors for the same, shooting galleries, upholsterers, soap factories, barbershops, collection agencies, and collectors, carpet

cleaners, photographers, wagon makers, wheelwrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth-cleaning and dyeing establishments, all billiard or pool games or other or any table games played with cue and balls or other mechanical device, bakeries, milliners, gunsmith shops, steam renovating works, dress-making establishments, railroad, telegraph and telephone companies, stage companies, electric light, water, and power companies, bankers and brokers of any, every, and all kinds, electrical supply houses, job printers, manufacturers of soda water or other or any soft drinks, or of beer, malt, spirituous, or vinous liquors or other or any alcoholic beverages, brewing companies, brewing agencies, patent medicine agencies, agencies of any and all kinds, wholesale liquor houses, or purchasers or brokers, sampling works, flour mills, city express and job wagons, draymen, second-hand stores, messenger service establishments, contractors, contracting mechanics or builders, sash and door factories, planing mills, machine shops, car shops, building and loan companies and agents or solicitors for the same, real estate agents, real estate solicitors, popcorn, peanut, delicatessen, fruit and lemonade stands, refreshment or coffee stands, booths and sheds, dry-goods stores of every, any, and all kinds, boot and shoe stores, furniture stores, drug stores, undertakers, glass and crockery stores, tamale stands or shops, abstract of title companies, or persons furnishing the same, iron works, notions and notion stores, pipe and tobacco stores, advertising by billboards, placards and the like, bootblacks and bootblack stands, gun stores, sporting, hunting, and fishing tackle stores, jewelry stores, resorts for amusements of all kinds, and all and singular, each and every, and any business, and all trades and professions, including attorneys, doctors, physicians, and dentists, and all character of lawful business or callings not herein specifically named; *provided*, that in fixing licenses, the city council must as nearly as practicable, make the same uniform in proportion to the approximate amount of business done by the licensee; *and provided further*, that in fixing licenses hereunder, the city council must have due regard for and be governed as far as possible by, the approximate amount or volume of business done by each person, firm, company, association, or corporation thus licensed.

To collect  
licenses  
on all  
businesses

Eleventh—To fix, impose, and collect a license tax on, and regulate all saloons, barrooms, dram shops, bars, tippling houses, or places where spirituous, malt, vinous, or intoxicating liquors are sold or given away; and to limit the number of saloons and all other retail liquor licenses, and to revoke the same.

To regulate  
liquor traffic

Twelfth—To fix, impose, and collect an annual per capita tax on all dogs and to provide for the capture and destruction of all dogs on which said tax shall not be paid. To fix, impose, and collect a license tax on and regulate hacks, hackney

Dog tax,  
vehicles,  
runners, etc.



coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate the stands of all hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate their rates of fare, and to require schedules of rates to be posted on or upon such public vehicles. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress runners for hotels, taverns, or other business.

**To preserve peace** Thirteenth—To prevent and restrain any riot or riotous assemblage or disorderly conduct within the city, and to provide for the punishment of the same.

**Chain gang** Fourteenth—To provide for the formation of a chain gang for persons convicted of offenses against the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and prevent their escape while being so employed.

**City elections** Fifteenth—To provide for conducting all city elections, regular or special, establishing election precincts, changing the same, and appointing the necessary officers of election.

**To curtail fast driving** Sixteenth—To regulate the speed at which cars, automobiles, bicycles, and other vehicles may run within the city limits, and to prescribe the length of time any street may be obstructed by trains being made up or cars standing thereon, and to require railway companies, at the expense of said railway companies, either to erect safety gates and maintain the same, or to station flagmen or place such sufficient warning signals or signal bells on street crossings as may, in the judgment of the city council be necessary, and to require street railway cars to be provided with modern fenders, and sufficient heat and other conveniences for the passengers and employees, and to have warning or signal bells rung at all street crossings, and generally to regulate and control the same for the comfort, safety, and security of pedestrians and the traveling public. And the city council of the city of Reno is hereby vested with full power and authority to exercise the right of eminent domain in all cases where the same is deemed necessary to condemn a right of way for street or other public purposes over and across any railroad right of way.

**Safety precautions** Seventeenth—To examine all books, papers, reports, and statements of the several officers or other persons having custody, care, or disbursement of any moneys belonging to the city, and to examine and liquidate all accounts and claims against the city and to allow or reject the same or any part thereof.

**To examine city accounts** Eighteenth—To provide for the issuance of all licenses in this charter authorized and to fix the amount thereof and the times for, manner of and terms upon which the same shall be issued.

**To fix amount of licenses** Nineteenth—To make all appropriations, examine and audit, reject or allow the accounts of all officers, or other persons having the care or custody of any city moneys or property

**To make appropriations**

and to determine the fee or salary of such officer or person, except as herein otherwise provided, to make contracts and agreements for the use and benefit of the city, such contracts to specify the fund out of which payment for the same is to be made; *provided*, that in no case shall a liability be created or warrant drawn against any fund beyond the actual amount then existing in such fund wherewith to meet the same. Proviso

Twentieth—To control, enlarge, or abolish cemeteries and to sell or lease lots therein; to control and regulate the interments therein and to prohibit them within the city limit, and to prescribe the distance from said limits, where the same may be located; and to provide for the issuance of burial or transit permits, and make a charge therefor. Cemeteries and burial of dead

Twenty-first—To establish, lay out and change fire limits and regulate or prevent the erection or repair of wooden buildings therein; to regulate and prescribe the material to be used in the construction or repair of buildings or sheds in such limits and to prevent the erection or construction of any buildings or sheds of other material; to regulate, prescribe the material of, and prohibit awnings, porches, signs, placards or billboards over sidewalks, or across streets, and to regulate the same throughout the city. Fire limits, etc.

Twenty-second—To provide by ordinance, for supplemental registration of all persons possessing the requisite qualifications of voters in said city and whose names do not appear on the official register of voters in said city for the next preceding general election; such supplemental registration may be had every two years, before the police judge, and conform as nearly as possible with the requirement of general laws governing registration of persons for general elections; *provided*, that no such supplemental registration shall be had or taken later than thirty days preceding any regular city election, and the registration books shall be closed at least ten days before the day of election. Registration of city voters

Twenty-third—To provide and maintain a city prison and provide for the guarding, safe-keeping, care, feeding, and clothing of the city prisoners. City prison

Twenty-fourth—To prevent or regulate the running at large in the city any poultry, hogs, sheep, goats, swine, horses, cows, or animals; to establish and maintain a pound and to authorize the impounding, sale, or disposal of any animals found running at large, and to authorize the destruction of all fowls or poultry running at large. To prevent animals running at large

Twenty-fifth—To regulate or prohibit the use of steam boilers; the location of telegraph, telephone, electric light and other poles, and the suspension thereon of wires, and the construction of entrances to cellars and basements from sidewalks. Regulations of boilers, poles, etc.

Twenty-sixth—To prevent and regulate the erection or maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures; to prescribe the manner of con- To regulate safety of structures, etc.

To regulate  
safety of  
structures,  
etc.

struction and location of drains and sewers; to layout, change, and create sewer districts; to require connections with sewers; to require the owners, lessees or other persons in control or possession of public buildings or buildings used for public purposes, including hotels, dancing halls, theaters, and theater buildings, to place in or upon the same, fire escapes and appliances for protection against the extinguishment of fire; to prevent the construction and cause the removal of dangerous chimneys, stovepipes, ovens and boilers, and to prevent the depositing of sewer filth, offal, manure, or other offensive matter in the city; to prevent the depositing of ashes, rubbish, shavings, or any combustible material in unsafe places; to regulate and compel the abating, removal, or cleansing, at the expense of the persons in possession or responsible therefor, of all nauseous matter, filth, accumulated rubbish, debris, nauseous, stinking or foul privy vaults; and if after the city council has given written notice to the owner or agent of any lot or premises to clean the same of any accumulated rubbish, garbage, or filth, the said owner or agent refuses or fails for a period of two days from and after receipt of said notice so to do, the city council may remove the said rubbish, garbage or filth and collect the cost of said removal by suit against the said owner and lot or premises, and the cost of said removal shall be a lien against the said lot or premises until paid, and in the said action for recovery of the cost of said removal it shall not be necessary to join as a defendant any party other than the name of the actual record owner and the said lot or premises.

Prevent  
overcrowd-  
ing of  
public halls,  
etc.

Twenty-seventh—To regulate the entrance to and exit from theaters, lecture rooms, public halls, and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, or benches in or crowding or otherwise impeding or obstructing the passageways, aisles, entrances or exits of such places.

Regulate  
pipe lines,  
etc.

Twenty-eighth—To regulate and control the construction and maintenance of any tubes, pipes, or pipe lines, conduits, ditches, signal bells, warning signs, and other electric, telegraph, and mechanical appliances in, along, over, under, and across the streets and alleys; *provided*, that no such appliances shall be placed so as to interfere with the fire alarm system, or the extinguishment of fires, or permanently, with the free use of the streets, sidewalks or alleys.

Railways to  
repair and  
sprinkle  
streets

Twenty-ninth—To require every railroad and street railway company to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks, and to require all street railway companies to sprinkle the streets between their tracks, and for a reasonable distance on each side thereof.

Abolish  
nauseous  
nuisances

Thirtieth—To require upon such notice as the city council may direct, any noxious or offensive smell, filth, or debris to be abated, removed, or otherwise destroyed, at the expense



of the person or persons causing, committing, or responsible therefor, and the city council in like manner may require or cause any lots or portions of lots covered by stagnant water for any period, to be filled up to such level as will prevent the same from being so covered, and may assess the cost or any portion thereof, of filling, upon such real estate and make the same a lien thereon, in which case said lien shall be preserved, enforced, and foreclosed as in other cases herein provided for.

Thirty-first—To provide for and regulate the manner of weighing of all food products and food stuffs, and hay, grain, straw, and coal, and the measuring and selling of firewood and of all fuel within the city, and to provide for the seizure and forfeiture of such articles offered for sale which do not comply with such regulations, and to examine, test and provide for the inspection and sealing of all weights and measures, throughout the city and enforce the keeping by traders and dealers, of proper weights and measures duly tested and sealed, and by ordinance provide a penalty for the using of false weights or measures.

Regulate weights and measures

Thirty-second—To restrain and punish vagrants, drunkards, drunkenness, disorderly persons, common prostitutes, mendicants, street walkers, street solicitors for alms or otherwise, street beggars, house beggars, and lewd persons; to suppress and abolish houses of assignation, or places resorted to by persons for the purpose of prostitution or immoral purposes; to prevent diseased, maimed, injured, or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish obscene language, or conduct, indecent exposure of person, loud and threatening or lewd language, or profane language in the presence and hearing of women or children, and all obnoxious, offensive, immoral, indecent, and disorderly conduct and practices in the city; to prevent and punish the discharging of firearms in the city, the lighting of fires in yards, streets, or alleys, or other unsafe places anywhere within the city; to prevent and punish the carrying of weapons, concealed or otherwise; to prevent and punish fast driving, fast horseback riding, or the riding or breaking to drive of wild or unmanageable horses in the city; to require that all horses when left standing shall be hitched to post or weight, and to prescribe the length of time any horse or animal may be allowed to remain tied, held, or otherwise kept on the streets or alleys of the city.

To punish and prevent vagrancy, etc.

Firearms

Regulating horses, etc.

Thirty-third—To prevent and punish all persons from showing, selling, or exhibiting for sale or in any manner publishing, any obscene or indecent drawings, engravings, paintings, books, or pamphlets, and all obscene or indecent exhibitions and shows of every kind.

Obscene literature, etc.

Thirty-fourth—To regulate the use and sale of water, gas, electric, and other lights in the city; to fix and determine the price as well as the rentals of all water, gas, and electric light

To regulate all meters

Proviso meters within the city; and to provide for the inspection of such meters; to regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service, and connections within the city; *provided*, that nothing herein contained shall be held to supersede any state law upon this subject, so long as any such state law may be in effect.

Public lighting Thirty-fifth—To provide for the lighting of the streets and public buildings and places of the city and to regulate such lighting.

Lodging houses, etc. Thirty-sixth—To regulate lodging, tenement, and apartment houses having four or more lodgers; to prevent the overcrowding of the same, and to require the same to be kept in a sanitary condition.

General power as to ordinances Thirty-seventh—To adopt and enforce by ordinance, all such measures and establish all such regulations in case no express provision is in this charter made, as the city council may from time to time deem expedient and necessary for the promotion and protection of health, comfort, safety, life, welfare, and property of the inhabitants of said city, the preservation of peace and good order, the promotion of public morals and the suppression and prevention of vice in the city, and to pass and enact ordinances on any other subject of municipal control, or to carry into force or effect any other powers of the city, and to do and perform any, every, and all acts and things necessary or required for the execution of the powers conferred or which may be necessary to fully carry out the purpose and intent thereof.

To keep streams clean Thirty-eighth—To provide for the cleaning of the river, reservoirs, and streams of the city, and the ditches connected therewith, of all driftwood and noxious matter; to prohibit, prevent, and punish the depositing therein of any filth or other matter tending to make the water thereof impure, unwholesome, or offensive.

Bridging of waters Thirty-ninth—To require of all ditch or canal companies, persons, or individuals owning, operating, or controlling any ditch or canal running over or across any of the streets or alleys of the city to cause such ditch or canal to be completely bridged from side to side of such street or alleys.

Regulating slaughter houses, etc. Fortieth—To compel the owner of any grocery, tallow-chandler shop, soap or candle factory, butcher shop or stall, slaughter house, stable, barn, corral, sewer, privy, or other offensive, nauseous, or unwholesome place or house, to cleanse, remove, or abate the same, whenever the city council shall deem it necessary for the health, comfort, or convenience of the inhabitants of the city; the expense thereof to be paid by the person causing, maintaining, or committing the same.

To employ competent mechanical supervisor Forty-first—To select, appoint, and employ an engineer, surveyor, architect, or other skilled mechanic or person from time to time, whenever in the judgment of the city council it shall be necessary or expedient for the purpose of supervising

and directing any public work; the salary or compensation, duties, and responsibilities of such person to be fixed, determined, and fully defined by ordinance.

Forty-second—To prescribe fines, forfeitures, and penalties for the breach or violation of any ordinance, or the provisions of this charter, but no penalty shall exceed the amount of five hundred dollars or six months imprisonment, or both such fine and imprisonment. To prescribe fines, etc.

Forty-third—To require of and prescribe the amount of official bonds from its members and all officers of the city, whether elective or appointive. Official bonds

Forty-fourth—To institute and maintain any suit or suits, civil or criminal, in the name of the city, in the proper courts, whenever necessary, in the judgment of the city council to enforce or maintain any right of the city, and they may, in like manner, defend all actions against the city; to institute and maintain any suit to foreclose liens or otherwise, against any property owner refusing or neglecting to pay as assessed by the city council, his ratable proportion of the cost of paving, grading or otherwise improving any street, or building any sidewalk or other improvement, which benefits the property or owner thereof. To maintain suits at law

Forty-fifth—To hold, manage, use and dispose of all real and personal property of the city, and to enforce the payment and collection of all dues, assessments, or demands of every nature or kind, belonging or inuring to the city, but no sales of property belonging to the city shall be made until after it shall have been appraised by three disinterested appraisers, residents and taxpayers of the city, at the actual market value, nor shall it be sold for less than seventy-five per cent of such appraised value; *provided*, that no park or property acquired for park or public purposes shall be sold or in any manner disposed of. To buy and sell city property under restrictions

Forty-sixth—To prohibit the injury to or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference. To protect shrubbery

Forty-seventh—Any property, real or personal, necessary or required for the public use of the city, may be condemned and appropriated in the manner prescribed by general law and all rights of eminent domain may be exercised by the city in relation thereto. May condemn property—eminent domain

Forty-eighth—To change or enlarge the boundaries of any ward, by ordinance, so as to annex or include therein additional lands, with the tenements, property and inhabitants thereof; *provided*, the city council shall be first petitioned so to do by a majority of the persons of the district proposed to be so annexed; *and provided further*, that no change in the boundaries of any ward, except for the purpose of enlarging the same, shall be made within sixty days next preceding any To change wards  
Provisos

general city election, and in no event oftener than once every two years.

Circus  
licenses

Forty-ninth—To suppress or regulate and collect a license tax on circus or other public parades through the streets of the city.

Provide  
advertising  
fund

Fiftieth—In its discretion, to provide and set aside yearly a reasonable fund, which once so provided and set aside shall not be increased, but may be diminished, during the year, for purposes of publicity.

SEC. 9. Section 1 of article XVI of said act is hereby amended so as to read as follows:

Salaries,  
etc.,  
regulated by  
ordinances

Section 1. The fees, salaries or other compensation of officers or other persons shall be regulated by regularly enacted ordinances as to salaries and by resolution as to compensation for persons not regularly employed by the city. All claims for fees, salaries and all expenses necessarily incurred in carrying on the legitimate purposes and duties of the city government and all claims against the city, wherever the nature of such claims will permit, shall be filed with the city clerk and acted upon by the city council at the first regular meeting thereafter, and the city council shall consider and allow or reject the same in the order as presented and filed, and the record of their action shall be entered upon the journal. Upon allowance in whole or in part of any claim, by a majority of all the members elected to the city council, the city clerk shall certify all such claims or portions allowed as the case may be after the same is signed by the mayor to the city auditor, who shall, if such claim is approved by him, draw a warrant upon the treasurer for the amount so allowed and shall state in general terms the nature of the claim, and when so presented to the treasurer, the same shall be paid by him.

CHAP. 39—*An Act to enable the board of county commissioners of White Pine County, Nevada, to fix the salaries and authorize the appointment of certain deputies.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Salaries of  
White Pine  
County  
officers

SECTION 1. The board of county commissioners of White Pine County, Nevada, is hereby authorized to fix the salaries of any and all deputies and assistants appointed by the county clerk, recorder and auditor, treasurer, sheriff and assessor of White Pine County, Nevada, and shall fix the number of any and all such deputies and assistants and the term of their employment.

Repeal  
In effect

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect on March 1, 1915.

CHAP. 40—*An Act to amend section 197 of an act entitled “An act concerning public schools, and repealing certain acts relating thereto,” approved March 11, 1911, and adding thereto a new section to be known as section 197a.*

[Approved February 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 197 of said act is hereby amended to read as follows:

Section 197. Whenever any school district shall issue any bonds under the provisions of this act, or shall have any bonds outstanding, it shall be the duty of the board of county commissioners of the county in which such district may be situated to levy and assess a special tax on all the taxable property of the district, including the net proceeds of mines, in an amount sufficient to pay the interest accruing thereon promptly when and as the same becomes due according to the tenor and effect of said bonds, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him, and shall cause said interest to be promptly paid at the place of payment specified in the bonds; and if there shall be any surplus after paying said interest and the expenses of collecting such special tax, the treasurer shall, without delay, pass the same to the credit of such school district, and such funds so passed to the credit of the district shall be subject to the disposal of the board of trustees; and in the calendar year following the year in which the bonds are issued, and annually thereafter, until the full payment of said bonds has been made, the board of county commissioners of the county in which said school district is situated shall levy and assess a special tax, and shall cause said special tax to be collected, on all the taxable property of the school district, including the net proceeds of mines, sufficient to raise annually a proportion of the principal amount of the said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, which amount shall be levied, assessed, and collected by the county treasurer in the same manner as the tax for the payment of the interest coupons and when collected shall be known as the “-----School District Bond Sinking Fund” and shall be used only in the payment of such bonds. The sinking fund thus provided may be applied to the purchase and cancelation of the outstanding bonds of the district. At the maturity of such bonds (or prior to the maturity thereof as hereinafter in section 2 hereof provided) and at their place of payment, the county treasurer shall cause such bonds and accrued interest thereon to be paid, and duly cancel the same, and certify his action to the board of trustees of the school district; and the

Concerning  
school  
bonds  
generally

Special tax

Interest  
paid out of  
general  
fund, when

said county treasurer shall, if the tax for interest on the bonds for the first year after their date of issue is not collected in time for use in paying the interest coupons maturing during that year, pay the interest accruing on said bonds in said year out of the general county fund and return, as soon as the funds are realized from the taxes for interest on said bonds, and from said interest fund, the amount so borrowed from said general county fund.

SEC. 2. There shall be added to the said act a new section to be known as section 197a, which said section shall be as follows:

Redemption  
of school  
bonds

Section 197a. In the event that there shall be in the hands of the county treasurer in such school district bond sinking fund, a sufficient sum to redeem one or more of such bonds, and to pay the accrued interest thereon, although before the maturity of such bonds and interest, he shall, if requested by the board of trustees of such school district so to do, post a notice in a conspicuous place in the main entrance to his office or the main entrance to the building in which his office may be situated, which notice shall state that the said county treasurer has on hand in the "----- School District Bond Sinking Fund" sufficient funds to redeem ---- bonds of said issue, and that there is in the said bond interest fund sufficient funds to pay the accrued interest on such number of bonds, and that he will on a certain day and hour (which shall not be sooner than thirty days from the date of posting such notice), at his office, receive proposals for the purchase of such number of bonds and paying the accrued interest thereon; upon the opening of said proposals the bid of the person offering the requisite number of bonds at the lowest rate shall be accepted by such treasurer; *provided*, that such offer to sell said bonds shall not involve a premium on the same of more than ---- per cent; if the entire issue of such bonds are provided to mature serially at different times, the treasurer shall redeem such bond or bonds at the lowest regular premium which matures first. If the entire issue of such bonds is provided to mature at one time, among equal offers for the sale of said bonds at the same rate of premium, the treasurer shall redeem such bond or bonds presented bearing the lowest serial number. The said treasurer shall certify all his actions hereunder to the board of trustees of said school district as in section 197 of this act provided.

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**CHAP. 41—An Act providing that any person, firm, association, or corporation, or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing that such accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.**

[Approved February 27, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** It shall be unlawful for any person, firm, association, or corporation, or agent, superintendent, or manager thereof, employing any special agent, detective, or person commonly known as "spotter" for the purpose of investigating, obtaining and reporting to the employer, his agent, superintendent, or manager, information concerning his employees, to discipline or discharge any employee in his service, where such act of discipline or the discharge is based upon a report by such special agent, detective, or spotter, which report involves a question of integrity, honesty, or a breach of rules of the employer, unless such employer, his agent, superintendent, or manager shall give notice and accord a hearing to the employee thus accused, when requested by the said employee, at which hearing said accused employee shall have opportunity to be confronted with the person making such report and shall have the right to furnish testimony in his defense.

Concerning  
"spotters"

Employee  
has right  
to be  
confronted  
with his  
accuser

**SEC. 2.** Any person, corporation, firm, association, or employer violating any provision of this act shall be liable to the State of Nevada for a penalty of five hundred dollars for each offense; and such penalty shall be recovered and suit brought in the name of the State of Nevada in a court of proper jurisdiction by the attorney-general, or under his directions by the district attorney in any county having proper jurisdiction.

Penalty—fine

**CHAP. 42—An Act to establish a board of commissioners for the promotion of uniformity of legislation in the United States, and other matters relating thereto.**

[Approved February 27, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** That within thirty days after the approval of this act, the governor shall appoint three suitable persons, and they and their successors are hereby constituted a board of

Commission  
for  
promotion  
of uniform  
legislation

commissioners for the promotion of uniformity of legislation in the United States. Said commissioners shall hold their office for a term of three years, and until their successors are appointed. Any vacancy in said board shall be filled by appointment by the governor.

Duty of said  
commission

SEC. 2. That it shall be the duty of said board to examine the subjects upon which uniformity of legislation in the various states of the union is desirable, but which are outside the jurisdiction of the Congress of the United States; to confer upon these matters with the commissioners appointed by the other states for the same purpose; to consider and draft uniform laws to be submitted for approval and adoption by the several states, and to generally devise and recommend such other or further course of action as shall accomplish the purposes of this act.

To keep  
record and  
report to  
legislature

SEC. 3. That the said board of commissioners shall keep a record of all its transactions, and shall at each session of the legislature, and may at any other time, make a report of its doings and of its recommendations to the legislature.

No compen-  
sation

SEC. 4. That no member of said board shall receive any compensation for his services.

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**CHAP. 43—An Act to authorize the county commissioners of any of the counties of the State of Nevada to purchase or construct railway lines, and to issue bonds for that purpose.**

[Approved February 27, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Counties  
may  
purchase or  
construct  
railroads

SECTION 1. The county commissioners of any of the counties of this state are hereby authorized, upon there being filed with them a petition signed by two-thirds of the taxpayers of the county, requesting them so to do, to purchase or construct a railway line, or lines, within the limits of the county, if in their judgment it would be to the interest of the county so to do, and to pay for the same out of the general fund of the county, or from a fund to be created for that purpose by the sale of bonds as hereinafter provided.

Title vests  
in county

SEC. 2. The title to any railway line or lines constructed or acquired by or under the authority of any board of county commissioners in this state, as provided in this act, shall be vested in said county, and under its control and management.

Petition,  
action upon

SEC. 3. Upon the filing of the petition provided for in section 1, if the county commissioners shall adjudge it to be to the interest of the county to build or construct the railway line specified in such petition, and if in the opinion of the said county commissioners it is advisable that funds for that purpose should be acquired by the sale of bonds, the county



commissioners shall, not later than eight weeks before any general or special election, determine the amount of such bonds to be issued and make and enter in their minutes a certificate of such determination, and make and enter an order submitting the question of the issuance of such bonds to the qualified electors of said county. If such order of submission shall be made and entered more than six months prior to the time for holding a general election, the board of county commissioners may order a special election for said purpose, which said special election shall be conducted in the manner provided by law for conducting elections, and the ballots at such election shall have printed thereon the words: "For the County Railway Bonds," and the words: "Against the County Railway Bonds." The votes cast for and against the issuance of said bonds at any election therefor shall be counted and returns thereof made and canvassed in the manner provided by law for counting, making returns, and canvassing the votes of a general election.

Referendum  
election

SEC. 4. If a majority of the votes cast on a proposition to issue such bonds shall be in the affirmative, it shall be the duty of the board of county commissioners, as soon thereafter as practicable, to issue the negotiable coupon bonds of the said county in such form and denomination as the board may direct, said bonds to run for a period of from one to twenty years from the date of issue, and bearing interest at a rate not exceeding six (6) per cent per annum, both principal and interest payable at the office of the county treasurer of such county, interest payable semiannually, and said bonds to be sold for not less than par and provided that such bonds shall be issued for such periods of time that there shall always be bonds redeemable by any funds in excess of one thousand dollars available in the county railway bond fund by this act hereinafter created. And before any sale is made of said bonds notice of such proposed sale shall be given by publication in a newspaper published in the county, if there be one published in the county, and if not, then by publication in the newspaper published nearest to the county-seat of said county, for at least ten (10) days before such bonds are disposed of, inviting sealed bids to be made for said bonds; and said bonds shall be sold only to the highest and best bidder therefor.

Majority  
vote; duties  
of county  
commis-  
sioners;  
bonds, etc.

SEC. 5. All bonds issued under the provisions of this act shall be signed by the chairman of the board of county commissioners, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and by the county treasurer.

Concerning  
bonds

SEC. 6. For the purpose of creating a fund for the payment of the principal and interest of the bonds so issued, the board of county commissioners of such county so issuing such bonds

Railway  
bond fund  
provided for

is authorized and directed to levy and collect annually there-  
after a special tax upon all the property, both real and personal,  
subject to taxation, including the proceeds of mines, within the  
boundaries of such county, until such bonds and the interest  
thereupon have been fully paid and discharged, sufficient to  
pay the interest upon said bonds, and to provide a fund for the  
payment of the principal of the same according to their tenor  
and effect. Such tax shall be levied and collected in the same  
manner and at the same time as other taxes are assessed and  
collected, and the proceeds thereof shall be kept by the county  
treasurer in a fund known as the "County Railway Bond Fund,"  
and paid out therefrom only in the payment of the principal  
and interest of said bonds; *provided*, that when the principal and  
interest of the said bonds shall have been fully paid, and all of  
said bonds retired, any and all moneys remaining on hand in  
said fund shall be transferred to the general fund of said county.

Redemption  
and  
cancelation  
of bonds

SEC. 7. Whenever the County Treasurer shall pay and  
redeem any bond issued under the provisions of this act, he  
shall forthwith cancel the same by writing across the face  
thereof the word "Paid," together with the date of such pay-  
ment, and sign his name thereto, and turn the same over to  
the county auditor, taking his receipt therefor, which receipt  
shall be filed with the clerk of the board of county commis-  
sioners, and the auditor shall credit the treasurer on his books  
for the amount so paid.

Interest  
ceases,  
when

SEC. 8. Should the holder of such bonds, or any of them,  
for any cause whatever, fail to present such bonds to the said  
county treasurer when they become due, all interest on such  
bonds shall thereafter immediately cease.

In effect

SEC. 9. This act shall take effect immediately.

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CHAP. 44—*An Act authorizing and empowering the boards of  
county commissioners of the several counties of this state  
to exploit and promote the agricultural, mining, and other  
resources, progress, and advantages of their respective  
counties; providing ways and means for this purpose, and  
repealing all acts and parts of acts in conflict herewith.*

[Approved March 1, 1915]

*The People of the State of Nevada, represented in Senate and  
Assembly, do enact as follows:*

Concerning  
advertising  
resources of  
counties

SECTION 1. The boards of county commissioners of the sev-  
eral counties of this state are hereby authorized and empow-  
ered to, in their discretion, annually include in their respective  
county budgets items to cover the expense of exploiting, pro-  
moting, and publishing to homeseekers and the public at large,  
by any means in their judgment calculated to accomplish this  
purpose, the agricultural, mining, and other resources, progress,  
and advantages of their respective counties.

SEC. 2. Such expenditures as may by the board of county commissioners of any county in this state be decided upon shall be met by including the same in the annual tax levy of and for that county; *provided*, that the tax levy for this purpose shall not in any one year exceed one cent on each one hundred dollars of the assessed valuation of the property in that county; *provided further*, that, pending the accumulation and setting aside of the fund for the purposes authorized by this act, said boards of county commissioners are hereby authorized and empowered to pledge their respective counties for said purposes to an amount not exceeding the sum to be raised as in this section provided, and to be paid out of the fund raised and set aside therefor as herein authorized.

Tax levy for same

Provisos

SEC. 3. Section 1 of an act entitled "An act to amend an act entitled 'An act supplementary to an act entitled "An act to create a board of county commissioners in the several counties of the state and to define their duties and powers," approved March 8, 1865,' approved February 19, 1867," approved March 27, 1911, and all other acts and parts of acts in conflict with this act, are hereby repealed in so far as the same apply to or interfere with the provisions of this act, but in no other particular.

Limited repeal of certain acts

CHAP. 45—*An Act to repeal that certain act entitled "An act giving the clerk of the supreme court authority to appoint a deputy in his office," approved March 15, 1911.*

[Approved March 1, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That certain act entitled "An act giving the clerk of the supreme court authority to appoint a deputy in his office," approved March 15, 1911, is hereby repealed.

Repeal—deputy clerk of supreme court

CHAP. 46—*An Act to amend section one of an act entitled "An act requiring nonresident joint-stock companies, associations, and corporations, doing a building and loan business, to furnish security before doing business in this state, and prescribing a penalty for a failure to do so," approved March 20, 1911, being section 1361 of the Revised Laws of Nevada.*

[Approved March 1, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended so as to read as follows:

Section 1. From and after the passage of this act no joint-

Investment  
companies  
must deposit  
securities  
with state  
treasurer

stock company, association, or corporation, heretofore or hereafter organized under the laws of any other state, territory, or foreign country, for the purpose of engaging in a building and loan business, or dealing in investment certificates, except a banking business, shall be allowed to continue or do business, without having first deposited with the state treasurer the sum of ten thousand dollars in money, or United States bonds, or municipal bonds, of this state, or in first mortgages upon real estate located within this state, and in addition thereto, when the amount due upon investment certificates issued to residents of this state shall exceed one hundred thousand dollars, an additional deposit equal to ten per cent of such excess over one hundred thousand dollars so issued; such security so deposited to be approved by the state treasurer as a guaranty fund for the protection and indemnity of residents of the State of Nevada, with whom such companies, associations, or corporations shall do business. The funds or securities so deposited shall be subject to attachment, garnishment, levy, and sale upon execution, as in other cases under the laws of this state.

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CHAP. 47—*An Act to amend section thirty-six of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907, as amended by act approved March 25, 1911, and repealing all acts and parts of acts in conflict therewith.*

[Approved March 1, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 36 of the above-entitled act is hereby amended to read as follows:

Certain city  
officers may  
be elected

Section 36. In addition to the mayor and city council, there may be elected in each city of the first or second class a city clerk, a city treasurer, a judge of the municipal court, a city attorney. All elective officers shall hold their respective offices for two years and until their successors are elected and qualified. In cities of the third class, the mayor, by and with the advice and consent of the city council, may appoint any or all of such officers as may be deemed expedient, and such appointive officers shall hold their respective offices during the pleasure of the mayor and city council.

When  
appointed

Repeal

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

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CHAP. 48—*An Act to amend sections 120 and 121 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911.*

[Approved March 1, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 120 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, is hereby amended so as to read as follows: Amending crimes and punishments act

Section 120. Express malice is that deliberate intention unlawfully to take away the life of a fellow creature, which is manifested by external circumstances capable of proof. Malice shall be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart. "Express malice" defined

SEC. 2. Section 121 of said act is hereby amended so as to read as follows:

Section 121. All murder which shall be perpetrated by means of poison, or lying in wait, or torture, or which shall be committed in the perpetration, or attempt to perpetrate, any arson, rape, robbery, or burglary, or which shall be committed by a convict in the state prison serving a sentence of life imprisonment, shall be deemed murder of the first degree; and all other kinds of murder shall be deemed murder of the second degree; and the jury before whom any person indicted for murder shall be tried shall, if they find such person guilty thereof, designate by their verdict whether it be murder of the first or second degree; but, if such person shall be convicted on confession in open court, the court shall proceed, by examination of witnesses, to determine the degree of crime, and give sentence accordingly. Every person convicted of murder in the first degree shall suffer death or confinement in the state prison for life, at the discretion of the jury trying the same; or upon a plea of guilty the court shall determine the same; and every person convicted of murder of the second degree shall suffer imprisonment in the state prison for a term of not less than ten years, and which may be extended to life. Defining murder of first degree  
Second degree  
Penalty, how determined

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**CHAP. 49—An Act to repeal an act entitled “An act requiring certain mining corporations to file statements with the county recorders and attorney-general, and to mail copies thereof to stockholders; regulating the issuance and sale of certain treasury and promotion stock, and defining the same for the purpose of this act; declaring certain acts to be unlawful; providing penalties for the violation thereof, and other matters relating thereto,” approved March 5, 1909, as amended March 27, 1911.**

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Repeal of  
act  
concerning  
certain  
mining cor-  
porations

**SECTION 1.** That certain act of the legislature of the State of Nevada entitled “An act requiring certain mining corporations to file statements with the county recorders and attorney-general, and to mail copies thereof to stockholders; regulating the issuance and sale of certain treasury and promotion stock, and defining the same for the purpose of this act; declaring certain acts to be unlawful; providing penalties for the violation thereof, and other matters relating thereto,” approved March 5, 1909, as amended March 27, 1911, is hereby repealed.

In effect

**SEC. 2.** This act shall take effect immediately upon its approval.

**CHAP. 50—An Act to repeal certain sections of an act entitled “An act to provide for the support of the government of the State of Nevada, and to repeal certain acts relating thereto,” approved March 23, 1891.**

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Repealing  
certain  
sections  
concerning  
revenue

**SECTION 1.** Sections 143 and 144 of the above-mentioned act, being sections 3755 and 3756 of the Revised Laws of Nevada, 1912, are hereby repealed.

**CHAP. 51—An Act making it unlawful for certain persons to accept fees, commissions, or gratuities for the employment of labor, prescribing certain penalties for the violation thereof, and other matters properly connected therewith.**

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** It shall be and is hereby made unlawful for any manager, superintendent, officer, agent, servant, foreman, shift



boss, or other employee of any person or corporation, charged or intrusted with the employment of any workmen or laborers, or with the continuance of workmen or laborers in employment, to demand or receive, either directly or indirectly, from any workman or laborer, employed through his agency, or worked or continued in employment under his direction or control, any fee, commission, or gratuity of any kind or nature as the price or condition of the employment of any such workman or laborer, or as the price or condition of his continuance in such employment; and any such manager, superintendent, officer, agent, servant, foreman, shift boss, or other employee of any person or corporation, charged or intrusted with the employment of laborers or workmen for his principal, or under whose direction or control such workmen and laborers are engaged in work and labor for such principal, who shall demand or receive, either directly or indirectly, any fee, commission, or gratuity of any kind or nature, from any workman or laborer employed by him or through his agency, or worked under his direction and control, either as the price and condition of the employment of such workman or laborer, or as the price and condition of the continuance of such workman or laborer in such employment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50) and not exceeding three hundred dollars (\$300), or by imprisonment not exceeding six (6) months, or both such fine and imprisonment, in the discretion of the court trying the charge.

Unlawful for any employer to demand or receive any emolument as condition to giving employment to any workman

Penalty

SEC. 2. Section 518 of "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, being section 6783 of the Revised Laws of 1912, is hereby repealed.

Certain section repealed

CHAP. 52—*An Act authorizing the county commissioners of Lander County, Nevada, to appropriate money for the payment of rent and maintenance of offices for the use of justices of the peace.*

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of Lander County is hereby authorized and directed to appropriate and pay from the county treasury each month the sum of ten dollars, to be paid to each of the duly qualified and acting justices of the peace, in addition to the compensation now allowed by law, for the rent and maintenance of suitable quarters for the transaction of justice court business. In the event that the board of county commissioners shall, at any time, provide suitable quarters for the use of any duly qualified and acting

Justice of the peace in Lander County to receive rent money



justice of the peace, such payment shall not be made to him, during the period of such provision.

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CHAP. 53—*An Act to amend section twenty-one of an act entitled "An act regulating the compensation of county officers in the several counties of this state, and other matters relating thereto," approved March 11, 1885, and making an appropriation for carrying out the purposes of this act.*

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 21 of the above-named act is hereby amended so as to read as follows:

Certain  
county  
officers to  
receive fees  
for money  
collected for  
state tax

Section 21. The State of Nevada shall allow the several counties of this state, for the services rendered under the revenue act by the auditor, assessor, and treasurer of each county, a sum which shall be the proportion of the state tax to the whole tax levied by the county on the basis of salaries allowed said officers by any special or general act relating to the same. These allowances shall be made at the time of the semiannual settlement provided by law, upon vouchers furnished the county treasurer by the board of commissioners of each county; *provided*, that if any county has heretofore paid or may hereafter by mistake pay into the state treasury on any such semiannual settlement more money than it should have paid according to the terms of this section, or under any special act relating to one county only containing similar provisions, such county may present its claim for such overpayment, as a claim against the state, to the state board of examiners for examination and allowance, and the state controller is hereby authorized to draw his warrants in favor of such county in refund of such overpayment in such amount as shall be allowed by such board of examiners; but if any such county shall feel aggrieved by any allowance made by said board of examiners on any such claim, an action may be prosecuted thereon for and on behalf of said county against the State of Nevada under and pursuant to the provisions of sections 5653-5655, Revised Laws of Nevada, 1912, which are hereby made applicable to any such action.

Appropriation, \$5,000

SEC. 2. For the purpose of carrying out the provisions of this act the sum of five thousand dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

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**CHAP. 54—An Act to provide for an oil painting of Abraham Lincoln for the state capitol building, in commemoration of the fiftieth anniversary of Nevada's statehood.**

[Approved March 2, 1915]

WHEREAS, The State of Nevada, has completed its first half-century; and

WHEREAS, The admission of the Territory of Nevada into the union as a state was deemed of the greatest importance by President Lincoln in order to make certain the abolition of slavery by constitutional amendment; and

WHEREAS, The admission of Nevada made possible the early ratification of such amendment and in this and in other ways the state effectively aided in establishing permanent peace and good-will between all the United States; and

WHEREAS, Both the Territory and the State of Nevada were established during the administration of President Lincoln, and the acts of the immortal martyred president, in advocating and proclaiming statehood for Nevada, are part of the illustrious history of this commonwealth; and

WHEREAS, It is eminently appropriate that the people of Nevada observe the event of the conclusion of the first half-century of statehood by some suitable memorial, permanent in form and of historical value: therefore

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The governor, the chief justice of the supreme court, the president of the senate, the speaker of the assembly, and the president of the state historical society are hereby constituted a special committee, to be known as the Lincoln portrait committee, for the purpose of procuring an oil portrait of Abraham Lincoln, and a frame for such portrait, which portrait when procured shall be hung in the assembly chamber of the state capitol building and shall thereafter be committed to the care and custody of the state board of capitol commissioners. It shall be in the discretion of the Lincoln portrait committee to purchase the portrait painted by the artist Charles M. Shean, or to procure a portrait by some other artist.

SEC. 2. The sum of thirteen hundred dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to carry out the purposes of this act.

Nevada's  
statehood—  
Fiftieth  
anniversary

Portrait of  
President  
Lincoln to be  
purchased

Appropriation, \$1,300

**CHAP. 55—An Act to provide for the creation of corporations sole, and defining the powers thereof, and other matters relating to such corporations.**

[Approved March 2, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**Churches, etc., may become corporations**

**SECTION 1.** Corporations may be formed for acquiring, holding, or disposing of church or religious society property, for the benefit of religion, for works of charity, and for public worship, in the manner hereinafter provided in this chapter.

**Articles, how made**

**SEC. 2.** Any person being the archbishop, bishop, president, trustee in trust, president of stake, president of congregation, overseer, presiding elder, or clergyman, of any church or religious society or denomination, who may have been duly chosen, elected, or appointed, in conformity with the constitution, canons, rites, regulations, or discipline of said church or religious society, and in whom shall be vested the legal title to property held for the purposes, use, or benefit of such church or religious society, may make and subscribe written articles of incorporation, in duplicate, acknowledge the same before some officer authorized to take acknowledgment, and file one of such articles in the office of the secretary of state, and retain possession of the other.

**What articles shall specify**

**SEC. 3.** The articles of incorporation shall specify: 1. The name of the corporation, by which it shall be known; 2. The object of said corporation; 3. The estimated value of the property at the time of making the articles of incorporation; 4. The title of the person making such articles and the manner in which any vacancy occurring in the incumbency of such archbishop, president, trustee in trust, president of stake, president of congregation, overseer, presiding elder, or clergyman is required by the rules, regulations, or discipline of such church, society, or denomination to be filled.

**Church officer may be corporation sole**

**SEC. 4.** Upon making and filing for record articles of incorporation as herein provided, the person subscribing the same, and his successor in office by the name or title specified in the articles, shall thereafter be deemed, and is hereby created, a body politic and a corporation sole, with continual perpetual succession, and such corporation shall have power to acquire and possess, by donation, gift, bequest, devise, or purchase, and to hold and maintain property, real, personal, and mixed, and to grant, sell, convey, rent, or otherwise dispose of the same as may be necessary to carry on or promote the objects of the corporation; and shall have authority to borrow money and to give promissory notes or other written obligations therefor, and to secure the payment thereof by mortgage or other lien, upon real or personal property.

SEC. 5. Such corporation shall have the power to contract and be contracted with, in the same manner as a natural person, and to sue and be sued, plead and be pleaded in all courts of justice, and to have and use a common seal by which all deeds and acts of such corporation may be authenticated.

Power  
of such  
corporation

SEC. 6. All deeds and other instruments of writing shall be made in the name of the corporation and signed by the person representing the corporation, and be sealed with the seal of the corporation, an impression of which seal shall be filed in the office of the secretary of state.

Instruments,  
how made

SEC. 7. The articles of incorporation, or a certified copy of those filed and recorded in the office of the secretary of state, shall be evidence of the existence of such corporation.

Filed with  
secretary  
of state

SEC. 8. In the event of the death or resignation of any such archbishop, bishop, president, trustee in trust, president of stake, president of congregation, overseer, presiding elder, or clergyman, or of his removal from such office by the person or body having the authority to remove him when such person is at the time a corporation sole, his successor in office, as such corporation sole, shall be vested with the title to any and all property held by his predecessor, as such corporation sole, with like power and authority over the same, and subject to all the legal liabilities and obligations with reference thereto. Such successor shall file in the office of the county recorder of each county wherein any of said real property is situated, a certified copy of his commission, certificate, or letter of election or appointment.

Succession  
established

Filed with  
county  
recorder

CHAP. 56—*An Act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada.*

[Approved March 5, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The apportionment of senators and assemblymen in the several counties of this state shall be as follows:

Churchill County, one senator and two assemblymen;  
Clark County, one senator and two assemblymen;  
Douglas County, one senator and one assemblyman;  
Elko County, one senator and four assemblymen;  
Esmeralda County, one senator and three assemblymen;  
Eureka County, one senator and one assemblyman;  
Humboldt County, one senator and three assemblymen;  
Lander County, one senator and one assemblyman;  
Lincoln County, one senator and one assemblyman;  
Lyon County, one senator and two assemblymen;  
Mineral County, one senator and one assemblyman;  
Nye County, one senator and four assemblymen;  
Ormsby County, one senator and one assemblyman;

Apportion-  
ment of  
senators and  
assembly-  
men

Storey County, one senator and one assemblyman;  
 Washoe County, one senator and seven assemblymen;  
 White Pine County, one senator and three assemblymen.

Present  
 terms not  
 disturbed

SEC. 2. Nothing in this act shall be construed as to affect the term of office of senators and assemblymen now in office.

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

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CHAP. 57—*An Act to amend an act entitled "An act to amend section three as amended March 16, 1897, of an act entitled 'An act to create a board of county commissioners in the several counties of this state, and to define their duties and powers,' approved March 8, 1865," approved March 24, 1909.*

[Approved March 5, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Concerning  
 county com-  
 missioners

Section 1. Section 3 of an act entitled "An act to create a board of county commissioners in the several counties of this state and to determine their duties and powers," approved March 8, 1865, and amended March 16, 1897, is hereby amended to read as follows:

Meetings of  
 county com-  
 missioners

Section 3. The meetings of the board of county commissioners shall be held at the county-seats of their respective counties on the fifth day of each month and every calendar month; special meetings may be held at the county-seat for the transaction of business pertaining to the county whenever said meeting shall be authorized by the board by resolution duly adopted and entered upon its minutes at a regular meeting. The board shall also meet on the tenth day after each general election to canvass election returns.

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CHAP. 58—*An Act amendatory of and supplemental to an act entitled "An act to provide for the organization and government of drainage districts, and to provide for the acquisition, repair, and development of canals, drains, ditches, watercourses, and other property, and for the distribution of water thereby for drainage purposes, and to provide for the levying of taxes, and for the issuing and sale of bonds thereof," approved March 31, 1913.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 20 of said act is hereby amended to read as follows: Concerning drainage districts

Section 20. After adopting a plan of said drainage canal or canals, drains, drain ditches, and works, the board of supervisors shall proceed to give notice, by publication thereof, not less than twenty days, in at least one newspaper published or having a general circulation in each of the counties composing the district, and in such other publication as they may deem advisable, calling for bids for the construction of such work or of any portion thereof; if less than the whole work is advertised, then the portion so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board of supervisors and that the board of supervisors will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place appointed, and the same shall be opened in public, and as soon as convenient thereafter the supervisors shall let said work, either in portions or as a whole, to the lowest responsible bidder, or they may reject any and all bids, in which event the board of supervisors shall have the power to cause all necessary work to be done by contract approved by and under the supervision and control of said board of supervisors, said contract not to be effectual until ratified by the board of county commissioners. Contract for the purchase of material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond with good and sufficient sureties, to be approved by the board, payable to said district for its use, for 50 per cent of the amount of the contract price, conditioned for the faithful performance of said contract in accordance with its provisions. The work shall be done under the direction and to the satisfaction of the engineer, and to be approved by the board of supervisors. The supervisors shall not be interested, directly or indirectly, in any material furnished or contract awarded by the said board of supervisors. Plans, etc  
Notice to be published  
Contracts let  
Bond  
Supervisors not to be interested in contracts

SEC. 2. Section 21 of said act is hereby amended to read as follows:

Section 21. The board of supervisors or other officers of the



Debts and  
liabilities  
limited

district shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act. A debt or liability incurred in excess of express provisions shall be and remain absolutely void, except that for the purposes of organization or for the purposes of this act the board may, before the collection of the first assessment, incur an indebtedness not exceeding in the aggregate a sum equal to twenty-five per cent of the estimated cost of the work and may cause the promissory notes of the district to issue therefor, bearing interest not exceeding seven per cent per annum, repayable from the proceeds of taxes or bonds.

SEC. 3. Section 32 of said act is hereby amended to read as follows:

Supervisors  
may issue  
bonds

Section 32. Whenever the board of supervisors deem it expedient it shall have the power, for the purpose of constructing drains, drainage canals, and other required improvements, to issue bonds of the district to run not more than twenty years and to bear interest payable semiannually, at a rate not exceeding seven per cent per annum, to be called "Drainage District Bonds," and which said bonds shall not be sold for less than their par value, and the proceeds of which shall be used for no other purpose than paying the cost of constructing such drain, drainage canal, or other like work; *provided*, that before such bonds shall be issued the board of supervisors shall request the board of county commissioners to, and the said board of county commissioners shall at once, call a special election to be held within a time not less than thirty nor more than forty-five days from the date of filing such request, and due notice of such election which shall be held within the said district or at some convenient point adjacent to said district. Such notice shall require the electors to cast ballots which shall contain the words "Drainage Bonds ----- District ----- Yes," or "Drainage Bonds ----- District ----- No," or words equivalent thereto. No person shall be entitled to vote at any such election held under the provisions of this act unless he shall be a freeholder in the district. The board of county commissioners in the county where such district shall be, shall appoint the judges of election and shall provide for as many places of election as will be convenient. Such election shall be conducted as nearly as practicable in accordance with the general laws of the state; *provided*, that no particular form of ballot shall be required. The said board of county commissioners shall meet on the second Monday next succeeding such election and proceed to canvass the votes cast thereat, and if upon such canvass it shall appear that a majority of all the votes are "Drainage Bonds ----- District ----- Yes," the said board shall, by order to be entered upon its minutes, declare that such drainage bonds have been duly and affirmatively voted upon. The expenses of such

Proviso

Special  
election



election shall be paid out of the funds belonging to said drainage district. Any property owners may pay the full amount of the benefit assessed against his property before such bonds are issued and receive a receipt in full therefor. Such payments shall be made to the county treasurer, and it shall be the duty of the county clerk to certify to the treasurer the amount of any such assessment when requested to do so, and the county treasurer shall enter the same upon the tax lists in his hands in a separate place provided therefor, and shall furnish the county clerk with duplicate receipts given for all assessments so paid in full. The terms and times of payment of the bonds shall be fixed by the board. Said bonds shall be issued for the benefit of the district numbered thereon, and each district shall be numbered by the board of supervisors and recorded by the county clerk, said record showing specifically the lands embraced in said district and upon which the tax has not been previously paid in full. In no case shall the amount of bonds exceed the benefits assessed. Each bond issued shall show expressly upon its face that it is to be paid only by a tax assessed, levied, and collected on the lands within the district so designated and numbered, and for the benefit of which district such bond is issued; nor shall any tax be levied or collected for the payment of said bond or bonds, or the interest thereon, on any property outside the district so numbered, designated, and benefited. The said board of supervisors shall, by resolution, provide for the issuance and disposal of such bonds, and for the payment of interest thereon, the creation of a sinking fund for the ultimate redemption thereof, and for the date and manner of the redemption of said bonds.

Property owners may pay, when

Various duties of officers

SEC. 4. The above-entitled act is hereby amended by adding thereto a new section, as follows:

Section 36. Nothing in this act contained shall be held to disqualify, upon the ground of interest, any person from being chosen or appointed to serve upon the board of supervisors by reason of his ownership of land within said district, or being interested in said drainage district, and the taxes levied or to be levied thereon.

Land owners not disqualified

SEC. 5. This act shall take effect and be in force from and after its passage and approval.

In effect

CHAP. 59—*An Act to amend section three of an act entitled "An act concerning the granting of franchises by boards of county commissioners, prescribing the terms under which said franchises shall be granted, and repealing certain acts pertaining thereto, and allowing corporations, associations, and persons having franchises obtained under other laws of this state to obtain the benefits of this act, and providing for other matters properly connected therewith," approved March 23, 1909; said section three being also section 2131 of the Revised Laws of Nevada, 1912.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 3 of the above-entitled act is hereby amended to read as follows:

How  
franchises  
may be  
granted by  
boards of  
county com-  
missioners

Duties of  
board

Notice  
published

Provisos

Section 3. An applicant shall also file with such application, and as a part thereof, if such franchise, right, or privilege is to be exercised within any unincorporated town or city in such county, a petition, in writing, signed by a majority of the resident taxpayers of such unincorporated town or city. Said taxpayers must be residents and owners of real estate situated in said county, and paying taxes upon said real estate; *provided*, that if such street-railway, electric-light, heat, and power lines, gas and water mains, telegraph and telephone lines shall not pass through any unincorporated town, or city, no petition need be filed with the said application for the franchise. Upon the filing of the said application, the said board of county commissioners shall, at its next regular meeting, cause notice of said application to be given; such notice shall contain the name of the firm, association, corporation, person, or persons making the application; the nature in general terms of the franchise, right, or privilege applied for; the day when the hearing upon such application shall be had, which shall not be less than ten (10) days after the period of publication or notice herein provided for has been completed, or at the next regular meeting of the board of county commissioners, after the completion of said publication, or notice, as the case may be; notice that all persons who have any objection to the granting of said franchise, right, or privilege to file their objection, in writing, with the clerk of said board before the date of said hearing, or to appear at said meeting, and present their objections at said time. Said notice shall be published once a week for four consecutive weeks in some newspaper of general circulation, published in said county. The clerk shall also cause three copies of said notice to be posted in three public places nearest where said application shall take effect, and if more than one incorporated city or town shall be affected thereby, such notice shall be posted in three public places in each of said incorporated towns or cities; *provided, however*,

that if no newspaper shall be published in said county, that notice shall be given by the posting of notices as herein provided. Proof of such notice shall be made by the clerk of the board before the hearing in said matter shall proceed, and such proof shall become a part of the record in such proceedings; *provided, however*, that before such notice shall be given, the applicant must deposit with such clerk the cost of such publication, and notice, the amount thereof to be fixed by said board of county commissioners.

Proof of  
notice to be  
made

CHAP. 60—*An Act authorizing school trustees of school district No. 4, Churchill County, Nevada, to issue bonds for the purpose of improving the school grounds, buying additional school furniture, and completing and repairing the public school buildings of said district No. 4 in the city of Fallon, and owned by said district, and matters properly connected therewith.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of school trustees of school district No. 4, Churchill County, Nevada, is hereby authorized to prepare and issue bonds of said school district in the amount not to exceed five thousand dollars (\$5,000), exclusive of interest, for the purpose of improving the school grounds, buying additional school furniture, and completing and repairing the school buildings of said district No. 4, in the city of Fallon, and now owned by said district.

Bonds for  
school  
purposes in  
Churchill  
County

SEC. 2. The bonds authorized under the provisions of section 1 of this act shall be issued in the sum of five hundred dollars each; shall bear interest at a rate not to exceed 6 per cent per annum; said bonds shall be numbered from one to ten, inclusive, and shall be signed by the president and clerk of said board of school trustees and countersigned by the treasurer of Churchill County. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered and signed by the president and clerk of said board of trustees and the county treasurer.

Denomina-  
tion of bonds

SEC. 3. The board of school trustees of said district No. 4 are hereby authorized to negotiate the sale of said bonds by advertising for sealed bids, or by private sale, as they may deem for the best interest of the school district; *provided*, that no bonds shall be sold for less than their par value, and that the bonds shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation  
of bonds

"Fallon  
School  
District No. 4  
Improvement Fund"

SEC. 4. All moneys received from the sale of said bonds shall be paid to the county treasurer of Churchill County, Nevada, and the said county treasurer is hereby required to receive and safely keep the same in a fund to be known as the "Fallon School District No. 4 Improvement Fund," and to pay out said money only on warrants signed by the president and clerk of the said board of school trustees. The county treasurer shall be liable on his official bond for the safe keeping of said moneys which shall come into his hands, and for the faithful discharge of his duties in relation thereto.

Tax for  
redemption  
of bonds

SEC. 5. For the purpose of creating a fund for the payment of said bonds, as authorized by this act, and the interest thereon, the board of county commissioners of Churchill County is hereby authorized, at the time of making the annual levy of taxes for state and county purposes for the year 1916, and annually thereafter until the said bonds are redeemed, to levy sufficient taxes on all property, both real and personal, to redeem one of said bonds each year and the payment each year of the accumulated interest on all the bonds authorized by this act. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the county treasury and set apart as a fund which is hereby known as the "Fallon School District No. 4 Improvement Fund."

Redemption  
of same

SEC. 6. On the first Monday in January, 1917, and every year thereafter, one of said bonds, together with the interest thereon, and the accumulated interest on all unredeemed bonds shall be paid. The payment and redemption of said bonds shall be in the order of issuance, the lowest-numbered bond to be first paid and redeemed, and so on until the whole number of bonds issued under the provisions of this act shall have been paid and redeemed, and all coupons shall be paid annually.

Interest  
ceases,  
when

SEC. 7. Should the holder of said bonds, or of any of them, for any cause whatsoever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Treasurer  
to cancel  
redeemed  
bonds

SEC. 8. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof, "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid. All bonds issued under the provisions of this act shall be payable at the office of the county treasurer of Churchill County.

Tax ceases,  
when

SEC. 9. Whenever the bonds and interest provided for by this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of Churchill County, be transferred to the county school fund of the said school district No. 4.

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full.

Faith of  
state  
pledged

CHAP. 61—*An Act to amend section four and section five of an act entitled "An act to facilitate the giving of bonds and undertakings in certain cases, and prescribing conditions upon which surety companies may become liable thereon in this state; fixing penalties for the violation thereof, repealing conflicting acts, and other matters relating thereto," approved March 26, 1909.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section four of the above-entitled act is hereby amended so as to read as follows:

Section 4. Any surety company qualified by this act to transact business in this state may, at any time, apply to the secretary of state, and, upon the payment of a fee of five dollars therefor, obtain a certificate which shall state the name of such company, the state under which it is incorporated or exists, and that such company has fully qualified under the provisions hereof to assume risks and become surety on all bonds and undertakings mentioned in section 1 hereof, stating also the date such company qualified as aforesaid; *provided*, that such certificates shall expire on the first day of January of the year succeeding the date of issuance.

Surety  
company  
to obtain  
certificate  
from  
secretary  
of state

SEC. 2. Section five of the above-entitled act is hereby amended so as to read as follows:

Section 5. The certificate or any duplicate certificate issued by the secretary of state in accordance with the provisions of this act shall be *prima facie* evidence in all the courts of this state of all matters herein stated; *provided*, such certificate shall not have expired. Any printed copy of a circular issued by the treasury department of the United States known as form No. 356, stating the amount of the capital and surplus of any such surety company, and not more than six months old as appears from the date of issuance thereof, shall be *prima facie* evidence of the amount of such capital and surplus and of the amount to which such company is entitled to be received as sole surety on any bond in this state, and shall, if accompanied with the certificate of the secretary of state herein mentioned, be a complete justification for any amount not exceeding ten per centum of such capital and surplus, whenever any such company shall be required to justify on any bond or undertaking; *provided*, that the party requiring such justification may produce competent evidence to show that such surety

Certificate  
to be  
evidence

Provisos

company is not worth such sum over and above all its just debts and liabilities exclusive of property exempt from execution; *provided further*, that bonds and undertakings on which such company may have become surety shall not be considered as debts or liabilities unless the obligation thereon shall have accrued and the obligee shall have demanded payment from such company.

SEC. 3. This act shall take effect on the first day of January, 1916.

In effect  
January 1,  
1916

CHAP. 62—*An Act to prohibit any employer from making any rule or regulation against any of his or her employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. It shall be unlawful for any person, firm, or corporation doing business or employing labor in the State of Nevada to make any rule or regulation, prohibiting or preventing any employee from engaging in politics or becoming a candidate for any public office in this state.

Employer  
shall not  
prohibit  
employees  
from  
entering  
politics

SEC. 2. Any person, firm, or corporation violating the provisions of this act shall upon conviction thereof be fined in a sum of not less than one hundred dollars nor more than five hundred dollars. The foregoing penalty shall be recovered in a suit brought for that purpose by the attorney-general in the name and for the benefit of the State of Nevada, but no such prosecution shall be commenced later than three months after the commission of the offense herein described. In all prosecutions hereunder the person, firm, or corporation violating this act shall be held responsible for the acts of his, her or its managers, officers, agents, and employees.

Penalty—fine

Principal  
responsible

SEC. 3. Nothing herein contained shall be construed to prevent the injured employee from recovering damages from his or her employer for injury suffered through violation of this act.

Damages not  
prevented

CHAP. 63—*An Act to provide for the relief of H. C. Jepson, clerk and treasurer of Douglas County.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of fifty-seven dollars and eighty cents is hereby appropriated out of any money in the game and fish preservation fund of Douglas County, to be paid to H. C. Jepson,

Relief of  
H. C. Jepson



clerk and treasurer of Douglas County, for extra labor performed in the years of 1913 and 1914, in the issuance of fishing and hunting licenses and in keeping record thereof, his compensation consisting solely of fees.

SEC. 2. The county auditor of said Douglas County is hereby directed to draw his warrant in favor of the said H. C. Jepson for fifty-seven dollars and eighty cents, and the county treasurer is hereby directed to pay the same. \$57.80 from  
Douglas  
County  
treasury

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CHAP. 64—*An Act to amend an act entitled "An act to establish a state printing office, and to create the office of superintendent of state printing," approved March 11, 1879, by adding a section thereto, to be known as section 22.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. An act entitled "An act to establish a state printing office and to create the office of superintendent of state printing," approved March 11, 1879, is hereby amended by adding a section to be known as section 22, to read as follows: Superin-  
tendent of  
state  
printing  
must be  
practical  
printer

Section 22. No person other than a practical printer shall be eligible to the office of superintendent of state printing.

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CHAP. 65—*An Act providing for the nomination and election of United States senators, and repealing sections 1, 2, 3, and 4 of chapter 9 of "An act relating to elections and removals from office," approved March 31, 1913.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. At the general election next preceding the expiration of the time for which any United States senator was elected or appointed to represent the State of Nevada in the United States senate, candidates for United States senator may be nominated and elected in the same manner as provided by law for the nomination and election of state officers. Election  
of U. S.  
senator

SEC. 2. Certificates of nomination of candidates for United States senator shall be filed with the secretary of state of Nevada, who shall certify the names of all candidates as shown therein to the various county clerks as now required by law in case of candidates for state officers, and the several county clerks in preparing the ballots to be voted for at any such general election, shall place thereon the names of all such candidates under the Nomination  
certificate  
to be filed  
with  
secretary  
of state



words "U. S. Senator—Vote for One," and there shall be a margin at the right-hand side of these names at least one-half inch wide, where the voter may indicate his choice of said candidates by making a cross or X.

Governor  
may appoint,  
when

SEC. 3. In case of a vacancy in the office of United States senator caused by death, resignation, or otherwise, the governor of Nevada may appoint some qualified person to fill said vacancy, who shall hold office until the next general election, and until his successor shall be elected and qualified.

Repeal

SEC. 4. Sections 1, 2, 3, and 4 of chapter 9 of "An act relating to elections and removals from office," approved March 31, 1913, are hereby repealed.

In effect

SEC. 5. All acts and parts of acts in conflict herewith are hereby repealed.

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CHAP. 66—*An Act to amend section 9 of an act entitled "An act concerning juries," approved March 5, 1873; approved March 5, 1875; approved March 5, 1877; approved March 7, 1881; approved March 12, 1895, the same being section 4932, Revised Laws, 1912.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
jury act

SECTION 1. Section 9 of an act entitled "An act concerning juries," approved March 5, 1873, approved March 5, 1875, approved March 5, 1877, approved March 7, 1881, approved March 12, 1895; the same being section 4932, Revised Laws, 1912, is hereby amended so as to read as follows:

Certain  
officers,  
callings,  
and  
professions  
exempt  
from  
jury duty

Section 9. Upon satisfactory proof, made by affidavit or otherwise, the following-named persons, and no others, shall be exempt from service as grand or trial jurors: Any federal or state officer, judge, justice of the peace, county clerk, sheriff, constable, assessor, recorder, attorney at law, physician, nurse, married women or school teacher, dentist, minister of the gospel, telegraph and telephone operator, locomotive or stationary engineer, mail carrier, engaged in the actual carrying of the United States mail, on a regular mail route, and one-half of all members of each regularly enrolled fire company in the state, said half to be determined by the several fire companies respectively, and all officers of such fire companies, not exceeding ten for each company, and also in all cities and towns wherein there is a paid fire department, after such paid fire department shall have been organized and put in operation, all members of said paid fire department, and all persons who are now or may hereafter become members of any exempt fireman's association, society, or organization within this state; but such exemption shall not extend to any member of such association, society, or organization, unless, prior to becoming a member of the same,

such member shall have served as an active fireman, in some regularly organized fire department in this state, for the period of three years, and also, in all cities and towns in this state, wherein there are volunteer fire departments, after such volunteer departments shall have been organized and put in operation, all members thereof; and also all members thereof who may hereafter become members of any exempt fireman's association, society, or organization within this state; but such exemption shall not extend to any member of such association, society, or organization, unless, prior to becoming a member of the same, such member shall have served as an active fireman in some regularly organized volunteer fire department in this state for the period of five years; *provided*, that the entire exemption of such firemen, where there is a paid fire department, shall not exceed in one town or city, one hundred and fifty; and where there is a volunteer fire department, the entire exemption shall not exceed, in any one town or city, fifty; *and further provided*, that any person liable to grand or trial jury duty residing sixty or more miles distant from the county-seat of his county shall be exempted from service on either grand or trial juries for the period of one year upon making affidavit to the fact that he so resides, and filing the same with the clerk of the district court of the district in which his county is situated, and paying to such clerk the sum of twenty-five dollars. Upon the receipt of such affidavit and such sum, the clerk shall deliver to such person a certificate stating the fact of such receipts, and thereafter, for the period of one year from the date of such payment, the name of such person shall not be placed in the jury box, nor shall such person be selected as a grand or trial juror. It shall be the duty of said clerk, upon the receipt of said sum, to deliver the same to the county treasurer of his county, and the said treasurer shall immediately place the same to the credit of the general fund of said county. *As amended, Stats. 1875, 137; 1877, 176; 1881, 155; 1895, 51.*

Provisos

Persons  
residing  
60 miles from  
county-seat  
exempt  
upon  
affidavit

CHAP. 67—*An Act to amend section eighty-two of "An act for the incorporation of cities, their classification, establishment, and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907, as amended March 3, 1909, and as incorporated in the Revised Laws of Nevada, 1912, as section 848.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section eighty-two of said act is hereby amended to read as follows:

Section 82. Before ordering any public improvement or

Estimates to  
be made by  
council of  
city improve-  
ments

Notices  
to be  
published,  
and posted  
near  
proposed  
work

repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the council shall cause estimates of the expenses thereof to be made, and also plats and diagrams, when practicable, of the work and the locality to be improved, and shall file such plats and diagrams with the city clerk for public examination; and they shall give notice thereof and of the proposed improvement, or work, of the location of the improvement and of the district to be assessed, by publication for at least two weeks in some newspaper published in said city, and by posting notices of the same in at least three public places in each ward, and also by posting a notice in or near the postoffice in said city, and by posting notices in three public places near the site of said proposed work. Said notices shall state the time when the council will meet and consider any suggestions and objections that may be made by parties in interest with respect to the proposed improvements. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, the improvement or work shall be ordered.

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CHAP. 68—*An Act to amend "An act fixing the compensation of the justice of the peace and ex officio coroner and ex officio registry agent of Reno Township, Washoe County, Nevada," approved March 25, 1913.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended so as to read as follows:

Salary of  
justice  
of peace in  
Reno

Section 1. The justice of the peace, ex officio coroner and ex officio registry agent of Reno Township, Washoe County, shall receive as full compensation for all services performed by him as such justice of the peace, registry agent, and coroner of said township the sum of two thousand four hundred (\$2,400) dollars per annum payable in equal monthly installments, and in addition thereto he shall receive all fees collected by him for marriage ceremonies by him performed, together with reasonable expenses incurred in the performance of his duties as coroner outside of Reno Township.

In effect  
January 1,  
1917

SEC. 2. This act to take effect January first, 1917.

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CHAP. 69—*An Act appropriating three hundred dollars for watering and care of the Grand Army cemetery at Carson City.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of three hundred dollars is hereby appropriated, out of any money in the general fund not otherwise appropriated, for the purpose of watering and caring for the Grand Army cemetery at Carson City, Nevada.

Care of  
G. A. R.  
cemetery

SEC. 2. Annually on the first Monday in September, nineteen hundred and fifteen and nineteen hundred and sixteen, the state board of examiners shall audit and allow to the post quartermaster of the Grand Army at Carson City, Nevada, the sum of one hundred and fifty dollars, on the filing with said board of examiners, by said post quartermaster, the claim and sworn statement that the amount has been expended as provided in section 1 of this act.

\$150 to be  
paid each  
year

SEC. 3. The state controller is hereby authorized and required to draw his warrants in favor of said post quartermaster for the sum named in this act, and the state treasurer is hereby authorized and required to pay the same.

Duties of  
controller  
and  
treasurer

CHAP. 70—*An Act granting franchises for conducting and carrying on abattoirs, packing-houses, packing-house agencies, stockyards, renderies, tallow chandleries, tanneries, wool pulleries, bone, soap, and fertilizing factories, and conducting other factories and business incident or appurtenant to the foregoing; and other matters in connection therewith.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. In all cities in which, at the general election in the year A. D. 1914, there were polled for candidates for United States senator more than twenty-five hundred votes, and in which any person, firm, association, or corporation, or the heirs, assigns, or successors in interest of either of them, shall have heretofore invested not less than twenty thousand dollars, in real property, including improvements and equipment thereon, for the purpose of maintaining, conducting, and carrying on, and in which said city are now being maintained, conducted, and carried on, one or more or either of the following kind of business, to wit: Abattoirs; packing-houses; packing-house agencies; plants for the curing and smoking of meats and meat products, and for manufacturing into commercial form all by-products of said abattoirs and packing-

Franchises  
for 50 years  
granted  
certain  
packing-  
houses and  
kindred  
businesses

Franchises  
for 50 years  
granted

houses; also carrying on stockyards and buildings, renderies, tallow chandleries, tanneries, wool pulleries, bone, soap, and fertilizing factories, and processing of offal, and for carrying on any other factories or business incident or appurtenant to all or either of the foregoing kinds of business, a franchise shall be and is hereby granted to each of said persons, firms, associations, or corporations, and to the heirs, successors, or assigns of either of them, to continue maintaining, conducting, and carrying on all or either of the businesses aforesaid for the period of fifty years from and after the date of enactment hereof, upon the lands and premises upon which said business or businesses were established or are being maintained, conducted, and carried on at the date hereof, and upon any premises adjacent to or in the immediate vicinity thereof, the title to which shall have been lawfully acquired and which may or shall hereafter be or become useful or advantageous in the maintaining, conducting, or carrying on of all or either of the businesses in this act enumerated; *provided, however*, that nothing in this act shall be so construed as to limit any municipality in its control and regulation or power to levy licenses or taxes upon the business or businesses herein described.

City may  
collect  
license

Repeal

SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed.

CHAP. 71—*An Act to amend section 7 of an act entitled "An act concerning the insane of the state, creating a board of commissioners for the care of the indigent insane, and to provide for the care of the insane," approved March 25, 1913.*

[Approved March 6, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 7 of the above-entitled act is hereby amended so as to read as follows:

District  
judge to  
commit  
certain  
patients  
to hospital;  
mode of  
procedure

Section 7. It shall be the duty of the judge of the district court in each judicial district in this state, upon the application of any person under oath, setting forth that any person, by reason of insanity, is unsafe to be at large, because of his homicidal, suicidal, or incendiary disposition, and even these must not be cases of delirium tremens or harmless imbecility or feeble-mindedness, either congenital or as the result of alcoholic excesses, drugs, or the natural failing of old age, to cause the said person to be brought before him at such time and place as he may direct. Said judge may direct the clerk of said court to issue subpoenas for the attendance of witnesses at the examination of said person, and such witnesses shall be paid their actual expenses caused by their attendance aforesaid, the amount of said expenses to be determined by said judge, and paid as he shall order; and the said judge shall also cause to

appear at the same time and place one or more licensed practicing physicians, who shall proceed to examine the person alleged to be insane; and if said physicians, after careful examination, shall certify upon oath that the charge is correct, and if the judge is satisfied that such person is, by reason of insanity, unsafe to be at large, and is incompetent to provide for his or her own proper care and support, and has no property applicable for such purpose, and no kindred in the degree of husband or wife, father or mother, children, brother, or sister living within this state of sufficient means or ability to provide properly for such care and support, he shall cause the said indigent insane person to be conveyed to the Nevada hospital for mental diseases of this state, at the expense of the state, and place the said person in charge of the proper person having charge of said Nevada hospital for mental diseases, together with a copy of the complaint, commitment, and physician's certificate, which shall be in such form as the board of commissioners may prescribe, and a full and complete transcript of the notes of the official court reporter made at the examination of said person before the committing magistrate. Said physician or physicians shall be paid a reasonable sum for their services, the amount to be determined by said judge, and paid as he shall order, but not to exceed ten dollars for a half-day, nor twenty dollars for a whole day. Said official reporter shall be compensated as ordered by said judge, the fees to be the same as those prescribed in section 4913 of the Revised Laws of 1912.

Indigent  
patients

Physicians'  
and  
reporters'  
fees

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CHAP. 72—*An Act to repeal that certain act entitled "An act to provide a typewriter operator for the county clerk of White Pine County, Nevada, and fix the salary of said operator," approved February 1, 1909.*

[Approved March 8, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That certain act entitled "An act to provide a typewriter operator for the county clerk of White Pine County, Nevada, and fixing the salary of said operator," approved February 1, 1909, is hereby repealed.

Repealing  
act  
concerning  
White Pine  
County

SEC. 2. This act shall be in force and effect from and after its passage and approval.

In effect



**CHAP. 73—***An Act requiring that suitable drinking water and receptacles therefor be furnished in underground workings; and providing penalties for the violation thereof.*

[Approved March 8, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Employers  
must provide  
good water  
for miners

**SECTION 1.** Every corporation, company, owner, or operator of a mine or underground workings in this state employing more than five men, shall, during working hours, provide suitable receptacles containing fresh, clean water for drinking purposes at places convenient to where men are employed in said underground workings. Said receptacles shall be supplied with a substantial cover which may be securely fastened or locked to prevent dust or dirt from entering therein, and shall be so made that the water shall be drawn from a valve or faucet.

Inspector to  
enforce

**SEC. 2.** It shall be the duty of the state inspector of mines to enforce the provisions of this act.

Penalty

**SEC. 3.** Any corporation, company, owner, or operator who fails, neglects, or refuses to obey the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

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**CHAP. 74—***An Act to amend section 123 of an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, and as amended and approved March 13, 1913.*

[Approved March 8, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** That said section 123 of said act as amended is hereby amended to read as follows:

License for  
peddlers,  
etc.

**Section 123.** Every traveling merchant, hawker, or peddler, and every auctioneer, shall, before vending any goods, wares, or merchandise, or acting as auctioneer, in any county of this state, procure from the sheriff of such county a license authorizing such business in such county, and shall pay for such license the sum of fifty dollars per month, if no freight-car, vehicle, wagon, or animals be used in such business, but if a freight-car standing on a side-track, or a vehicle, wagon, or one or more animals be used in connection therewith, such license shall be seventy-five dollars per month; *provided, however,* that no license shall be required from the grower or

Exception



growers of Nevada products for selling their fruits, vegetables, or other agricultural products, butter, eggs, honey, or poultry raised or produced in the State of Nevada. The county auditor shall issue to the sheriff of the several counties the license contemplated by this section, and they shall be issued by such sheriff to applicants therefor, upon the terms hereinbefore stated; and any such merchant, peddler, or auctioneer who shall offer for sale any goods, wares, or merchandise, or act as auctioneer, without having first obtained a license as hereinbefore provided, shall be guilty of a misdemeanor, and on Penalty conviction thereof shall be fined in any sum not less than fifty dollars nor more than five hundred dollars.

SEC. 2. All acts and parts of acts in conflict with the Repeal provisions of this act are hereby repealed.

CHAP. 75—*An Act to provide for the completion of the county high-school building in the city of Ely, Nevada; for the completion of the furnishing and equipment of said building; for the issuance and payment of bonds for the creation of a fund for the completion of said building and the furnishing and equipment of same.*

[Approved March 9, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of White Pine County is hereby authorized, empowered, and directed to prepare and issue bonds of said county for an amount not to exceed the sum of twenty thousand dollars, exclusive of interest, for the purpose of providing funds for the completion of the county high-school building in the city of Ely and for the completion of the furnishing and equipment of said building. Completion of high school at Ely

SEC. 2. The bonds authorized under the provisions of section 1 of this act shall be issued in the sum of one thousand dollars each. They shall be numbered from one to twenty consecutively. They shall be signed by the chairman of the board of county commissioners, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered and signed by the chairman of the board of county commissioners and by the county treasurer. Denomination of bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued. Record kept

Negotiation  
of bonds

SEC. 4. The board of county commissioners of White Pine County is hereby authorized to negotiate the sale of said bonds by advertising for sealed proposals, or by private sale or sales, as they may deem for the best interest of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than their par value, and that the bonds and the interest thereon shall be made payable in gold coin of the United States; *and provided further*, that the said board shall sell the bonds to the highest and best bidder or bidders in the event that they elect not to sell the same at private sale or sales.

Interest  
limited

SEC. 5. The interest on said bonds shall not exceed five per cent per annum, and shall be payable semiannually on the first of January and the first of July of each year after the year 1915, at the office of the county treasurer of said White Pine County, and in no case shall any of said bonds run for a longer period than seventeen years, and provided that the interest on said bonds shall cease on the maturity thereof, as hereinafter provided.

Redemption  
of bonds

SEC. 6. On the first day of January of the year 1929, and annually thereafter, five of such bonds, together with the interest thereon, shall be paid and redeemed by the county treasurer of White Pine County. The payment and redemption of said bonds shall be in the order of their issuance, the lowest bond to be the first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act shall have been paid and redeemed. The interest coupons shall be paid semi-annually.

Semiannual  
interest

"White Pine  
County  
High School  
Equipment  
Fund"

SEC. 7. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "White Pine County High School Equipment Fund," and to pay out said moneys in the manner now provided by law for the payment of the "County High School Fund," and for the purposes provided for in this act.

Residue of  
funds,  
how  
disposed of

SEC. 8. The county board of education of White Pine County is hereby authorized and directed to use such money derived from the sale of such bonds, or such portion thereof as they may deem necessary, for the completion of the county high-school building in the city of Ely, Nevada, and for the completion of the equipment and furnishing of said building, and any balance remaining in such fund after the completion of the building, equipment, and furnishing thereof shall be turned over and converted into the proper fund provided for the running and maintaining said high school in accordance with and pursuant to the provisions of the law pertaining to the establishment, maintenance, and management of high schools in the various counties of this state.

County  
board of  
education  
to determine  
character of  
improve-  
ments, etc.

SEC. 9. Said county board of education shall determine as to the character of said improvements, materials to be used therefor, and plans therefor. The laws in force governing the letting of contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the

county board of education in carrying out the provisions of this act. All demands and bills contracted by said county board of education in carrying out the provisions of this act shall be paid in the manner now provided by law for paying claims against the "County High School Fund."

SEC. 10. The county treasurer of the said White Pine County shall be liable on his official bond for the safe keeping of the money which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

County  
treasurer  
responsible

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of said White Pine County is hereby authorized and empowered to levy and collect annually a special tax on all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundary of said White Pine County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire the same as hereinabove provided. Such tax shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as "White Pine County High School Equipment Bond Redemption Fund."

"White Pine  
County  
High School  
Equipment  
Bond  
Redemption  
Fund"

SEC. 12. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in the said bond fund shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of said county high school.

Tax to  
cease, when

SEC. 13. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the sum so paid.

Treasurer to  
cancel paid  
bonds

SEC. 14. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bond to the said county treasurer for payment when they become due, all interest on said bonds shall thereafter immediately cease.

Interest  
ceases,  
when

SEC. 15. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full as in this act specified.

Faith of  
state  
pledged

CHAP. 76—*An Act to amend an act entitled "An act defining the duties of state controller," approved February 24, 1866.*

[Approved March 9, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 3 of the above-entitled act is hereby amended to read as follows:

Annual  
report of  
state  
controller,  
what shall  
contain

Section 3. He shall digest, prepare, and report to the governor, on the first day of January, or within twenty-five days thereafter, annually, to be laid before the legislature at each regular session, a complete statement of the condition of the revenues, taxable funds, resources, incomes, and property of the state, and the amount of the expenditures for the preceding fiscal year; a full and detailed statement of the public debt; estimate of the revenues and expenditures for the succeeding fiscal year; also, a tabular statement showing separately the whole amount of each appropriation of money made by law, the amount paid under the same, and the balance unexpended; a tabular statement showing the amount of revenue collected from each county for the preceding year; and shall recommend such plans as he may deem expedient for the support of the public credit, for promoting frugality and economy in the public offices, for lessening the public expenses, and, generally, for the better management and more perfect understanding of the fiscal affairs of the state.

SEC. 2. Section 4 of the above-entitled act is hereby amended to read as follows:

To keep  
account  
with each  
county,  
and with the  
United  
States, etc.

Section 4. The controller shall open and keep an account with each county, charging the counties with the revenue collected, as shown by the auditor's statements, and also with their proportions of the salaries of the district judges, and crediting them with the amounts paid to the state treasurer. He shall also keep and state all accounts between the State of Nevada and the United States, or any state or territory, or any individual, corporation, or public officer of this state, indebted to the state, or intrusted with the collection, disbursement, or management of any moneys, funds, or interests arising therefrom, belonging to the state, of every character and description whatsoever, where the same are derivable from or payable into the state treasury. He shall settle the accounts of all county treasurers, and other collectors and receivers of all state revenues, taxes, tolls, and incomes, levied or collected by any act of the legislature and payable into the state treasury. He shall keep fair, clear, distinct, and separate accounts of all the revenues and incomes of the state, and also all the expenditures, disbursements, and investments thereof, showing the particulars of every expenditure, disbursement, and investment, and he shall have the power to direct the collection of all accounts or moneys due the state, and if there be no time fixed or

Further  
duties

stipulated by law for payment of any such accounts or moneys, they shall be payable at the time set by the controller.

SEC. 3. Section 6 of the above-entitled act is hereby amended to read as follows:

Section 6. He shall draw all warrants upon the treasury for money, and each warrant shall express, in the body thereof, the particular fund out of which the same is to be paid, the appropriation under which the same is drawn, and the nature of the service to be paid, and no warrant shall be drawn on the treasury except there be an unexhausted specific appropriation, by law, to meet the same. He shall keep an account of all warrants by him drawn on the state treasury, which account shall be kept in such manner as to show monthly the amount of warrants drawn, the amount paid, and the amount outstanding. He shall keep a record of all appropriations in a book provided for that purpose, in which book he shall enter the nature of the appropriation, referring to the statute authorizing the same, the amount appropriated, the amount paid therefrom for each month thereafter, with a yearly total of all payments and the balance remaining, and the amount, if any, reverting.

To draw warrants, and keep account thereof, and of all appropriations

SEC. 4. Section 19 of the above-entitled act is hereby amended to read as follows:

Section 19. He shall keep accounts with the following named funds heretofore created: Automobile road fund, contingent university fund, district judges' salary fund, Panama-Pacific exposition fund, Panama-California exposition fund, general fund, normal training school funds for various counties, state distributive school fund, state permanent school fund, state loan interest and redemption fund, state library fund, territorial interest fund, Nevada school of industry fund, sheep inspection fund, and such other funds as may hereafter be created, or as said controller may deem advantageous to keep. He shall credit the funds with the amount of money received, and shall charge them with the amount of warrants drawn.

Various funds named

SEC. 5. Section 20 of the above-entitled act is hereby amended to read as follows:

Section 20. He shall keep a record of all receipts of money by the treasurer, in a book provided for that purpose, in which book he shall show in detail the nature of the receipt and the apportionment of the amount to the various funds. He shall charge the treasurer and shall credit the income accounts with all money received.

Account with state treasurer

SEC. 6. Section 22 of the above-entitled act is hereby amended to read as follows:

Section 22. He shall draw a warrant in favor of any person entitled to draw or to receive any money from the treasury, and deliver the same to the person entitled thereto. He shall keep a warrant register, in which book he shall enter all warrants drawn by him. The arrangement of this book shall be such as to show the bill number, the warrant number, the

Warrant register, etc.

amount, out of which fund the same are payable, and a distribution of the same under the various appropriations and into the various asset and expense accounts. He shall credit the treasurer with all warrants paid.

SEC. 7. Section 23 of the above-entitled act is hereby amended to read as follows:

Record of  
assignments

Section 23. He shall keep a record of all assignments of warrants in a book provided for that purpose, in which book he shall enter the date of filing, the number, the name of the assigner and assignee, with such other particulars as may be necessary to accomplish the purposes of such a record.

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CHAP. 77—*An Act to amend section one of an act entitled "An act to amend an act entitled 'An act fixing the compensation of county and township officers in Nye County, State of Nevada, and matters pertaining to the collections and disposition of fees arising from such offices, and regulating the conduct thereof, and to repeal all acts or parts of acts conflicting therewith,' approved March 24, 1909," approved March 25, 1913.*

[Approved March 9, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Salary of  
district  
attorney of  
Nye County

SECTION 1. Section one of said act is hereby amended to read as follows:

Section 1. The district attorney shall receive a salary of thirty-six hundred dollars per annum for all his services as such officer. He shall have such deputies as in the judgment of the board of county commissioners shall be deemed necessary, and at such compensation and for such time as they may provide. He shall be allowed all his actual traveling expenses, to consist of actual cost of his transportation and living expenses, while absent from the county-seat in the performance of his official duties; *provided*, said expenses shall be first audited and allowed by the board of county commissioners. The district attorney shall receive no other fees or compensation other than is herein provided for the performance of his official duties.

Repeal

SEC. 2. All acts and parts of acts in conflict with or inconsistent with this act are hereby repealed.

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CHAP. 78—*An Act to authorize county commissioners in counties not having high schools, to aid district high schools under certain conditions, and other matters properly connected therewith.*

[Approved March 9, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. In any county in which no county high school is located, the county commissioners shall levy a county tax for high-school purposes of not less than ten (10) cents on the hundred (\$100) dollars of assessed valuation of the county for the benefit of any district high school or schools that comply with the following conditions:

1. That the said high school or schools shall have standard courses in commercial work or manual arts or domestic arts, or standard courses in agriculture;

2. That the board of school trustees of the district or districts having high schools as described in paragraph 1 of these conditions shall each have levied a special district tax of not less than fifteen (15) cents on the hundred (\$100) dollars of the assessed valuation;

3. That the board of school trustees of each district interested shall have passed a resolution opening their high school to all properly qualified students of the county.

SEC. 2. In counties having more than one district high school affected by the provisions of this act, the amount raised by the county for high-school purposes, as provided in section 1 hereof, shall be apportioned by the state superintendent of public instruction at the time of each semiannual apportionment of the state and county school moneys in January and July on the following basis:

1. One-third of the amount in this fund reported by the county treasurer, to the different high schools affected on the ratio of high-school enrollment according to the last preceding annual reports of the city superintendents, or of the principals of the schools affected;

2. One-third, on the comparative school census of the districts affected, according to the last preceding annual school census;

3. One-third, on the comparative assessed valuation of the districts affected, according to the last preceding assessment.

SEC. 3. The board of school trustees of any district availing itself of the benefits of this act is hereby empowered to provide for the rental, purchase, or erection of a suitable dormitory or dormitories and dining-hall for high-school students whose homes are outside of a district having a high school in said county, and to provide for the comfort, maintenance, and



Dormitory  
and  
dining-hall

management of the same. The said dormitory or dormitories shall be considered part of the regular high-school equipment and organization.

Repeal

SEC. 4. All acts or parts of acts in conflict herewith are hereby repealed.

CHAP. 79—*An Act appropriating four thousand eight hundred dollars for the support and maintenance of the Florence Crittenton Mission of Nevada, Incorporated, located at Reno, Washoe County, Nevada.*

[Approved March 9, 1915]

Florence  
Crittenton  
Mission

WHEREAS, A number of the citizens of the State of Nevada have incorporated under the laws of the State of Nevada the Florence Crittenton Mission, Incorporated, and a branch of the National Crittenton Mission; and

WHEREAS, Among other things, the purposes for which said corporation is formed are: To aid and encourage destitute, homeless, and friendless women to lead lives of respect, and to reach positions of honorable self-support; to provide a temporary home and employment for women and girls who have been led from the path of virtue and who sincerely desire to reform, and to aid and encourage them to seek respectability and reformation of character; to provide shelter for young and unprotected mothers with their children, and to encourage and assist young mothers in caring for their children, etc.; and

WHEREAS, Said corporation has no capital stock nor shares of stock; and its members consist of men and women who are in sympathy with, and who voluntarily contribute to, its purposes, and the contributions of said corporation since its organization have been very small; and

WHEREAS, Said corporation has cared for many who have sought shelter, and the demands of said corporation are continually increasing, and it is without funds to properly care for those seeking its protection, and carrying out the great objects and purposes for which it was organized: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$4,800

SECTION 1. The sum of four thousand eight hundred dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, for the purposes of assisting the Florence Crittenton Mission of Nevada, Incorporated, in carrying out the objects and purposes for which it was organized; *provided*, that said money shall be used for the purposes ordered, and with the consent of the state board of examiners.

Paid in  
monthly  
installments

SEC. 2. Said four thousand eight hundred dollars thus appropriated shall be paid to the treasurer of said corporation in installments of two hundred dollars per month for a period of twenty-four (24) months.

SEC. 3. The state controller is hereby authorized and required to draw his warrant in favor of the treasurer of said corporation for the sums named in this act, and the state treasurer is hereby authorized and required to pay the same.

Duties of  
controller  
and  
treasurer

CHAP. 80—*An Act for the relief of the Southern Pacific company.*

[Approved March 9, 1915]

WHEREAS, During the year 1912 the Southern Pacific company did furnish E. H. Walker, secretary of the railroad commission of Nevada, transportation to the amount of \$151.35 at the request of the above-named commission; and

Relief  
Southern  
Pacific

WHEREAS, Said claim has not been paid because of failure to present, previous to the reversion to the general fund, of the appropriation of which said claim was payable; and

WHEREAS, Said claim is a just and a proper one, having been approved by the railroad commission of Nevada, and by the state board of examiners on April 10, 1913, and February 4, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw his warrant in the sum of \$151.35 in payment of the above-mentioned claim, in favor of the Southern Pacific company, and the state treasurer is directed to pay the same.

Appropriation, \$151.35

CHAP. 81—*An Act for the relief of the Nevada bureau of industry, agriculture and irrigation.*

[Approved March 9, 1915]

WHEREAS, During the year 1914 there was a deficiency in the appropriation for the support of the Nevada bureau of industry, agriculture and irrigation to the extent of \$259.55, and from which the following claims are payable: C. A. Norcross, \$10; C. A. Norcross, \$12; Raycraft Realty Co., \$237.55—\$259.55; and

Relief  
Nevada  
bureau of  
industry, etc.

WHEREAS, Said claims were approved by the state board of examiners on January 2, 1915, and said bureau of industry, agriculture and irrigation authorized to create said deficit by said board of examiners: now, therefore,

Claims—  
\$259.55—to  
be paid

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw his warrants in favor of the Nevada bureau of industry, agriculture and irrigation, in payment of the above-named claims, and the state treasurer is directed to pay the same.

Duties of  
controller  
and  
treasurer

CHAP. 82—*An Act for the relief of the state agricultural experiment farm at Logan, Clark County, Nevada.*

[Approved March 9, 1915]

Relief  
Logan  
experiment  
farm

WHEREAS, During the month of April, 1914, the state agricultural experiment farm, located at Logan, Clark County, Nevada, contracted deficiencies for labor, salary, and supplies to the amount of \$306.25; and

WHEREAS, Such deficiency is a just claim against the state, having been certified to by the board of control of said farm, and approved by the state board of examiners on July 22, 1914, and January 2, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$306.25

SECTION 1. The state controller is hereby authorized to draw his warrant in favor of the said state agricultural experiment farm, located at Logan, Clark County, for the sum of \$306.25, and the state treasurer is directed to pay the same.

CHAP. 83—*An Act to regulate the fees of the county clerk of Elko County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 9, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Fees of  
county clerk  
of Elko  
County

SECTION 1. The county clerk of the county of Elko, State of Nevada, as county clerk and ex officio clerk of the district court of the Fourth judicial district of the State of Nevada, in and for the county of Elko, shall, from and after the passage of this act, charge and collect the following fees:

On the commencement of any action or proceeding in the district court or on an appeal thereto or on the transfer of any case from a justice's court, except probate proceedings, to be paid by the party commencing such action or proceeding or taking such appeal, or on the transfer of a case from a justice's court, by the plaintiff therein, seven dollars; said fee to be in addition to the court fee now provided by law.

On the filing of a petition for letters testamentary, or of administration or guardianship, eight dollars and fifty cents, to be paid by the petitioner; said fee to be in addition to the court fee now provided by law.

On filing a petition to contest any will or codicil, five dollars, to be paid by the petitioner.

On the filing of objection or cross-petition to the appointment of an executor, administrator, or guardian, or an objection to the settlement of account or any other proceeding in an

Fees of  
county clerk  
of Elko  
County

estate or guardianship matter, five dollars, to be paid by the moving or objecting party.

On the commencement of proceedings in an adoption case, five dollars.

On the appearance of any defendant or any number of defendants answering jointly, five dollars.

On the appearance of every additional defendant, appearing separately, or any number of additional defendants, appearing jointly, two dollars and fifty cents.

On the filing of a complaint in intervention, two dollars and fifty cents.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to and include the making up of the judgment roll.

The clerk shall also be entitled to charge and collect the following fees and compensations not above provided for:

For filing any notice of motion to move for a new trial of any civil action or proceeding, to be paid by the party filing same, two dollars and fifty cents, which shall be in full for all services to be rendered in connection with said motion.

For issuing an execution or order of sale, in any action, one dollar.

For filing a notice of appeal, and appeal bond, each, fifty cents.

For filing remittitur from the supreme court, one dollar, and for recording judgment entered thereon, twenty cents per folio.

For issuing transcript of judgment and certifying thereto, one dollar.

For filing and docketing abstract of judgment of justice's court and issuing execution thereon, one dollar and fifty cents.

For filing any paper in any case after judgment, not otherwise provided for, fifteen cents.

For making satisfaction of or credit on judgment, twenty-five cents.

For recording any instrument or paper required to be recorded in his office, other than an instrument or paper in an action or proceeding in court, as otherwise specified in this act, twenty cents per folio.

For certifying any copy of any record, proceeding, or paper on file in the office of the clerk, fifty cents, and when such copy is made by him, per folio, fifteen cents.

For filing each claim in probate or insolvency proceedings, fifteen cents.

For filing all papers to be kept by him, not otherwise provided for, other than papers filed in actions and proceedings in court and official bonds and certificates of appointment, each, fifteen cents; and for indexing, twenty-five cents.

For filing, indexing and recording articles of incorporation, ten dollars.

For filing, indexing, and registering certificates of copartnership, one dollar.

Fees of  
county clerk  
of Elko  
County

For issuing marriage licenses, two dollars, one-half to be paid to the county recorder.

For administering each oath, without certificate, except in pending action or proceeding, twenty-five cents.

For issuing any certificate under seal, not otherwise provided for, fifty cents.

For taking any affidavit, except in criminal cases, twenty-five cents.

For searching records or files in his office, for each year, fifty cents, but not to charge suitors or attorneys.

For taking acknowledgment of any deed or other instrument, including the certificate, one dollar.

No fee shall be charged by the clerk for any services rendered in any criminal case or in habeas corpus proceedings.

In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun or act performed shall be charged and collected.

Fees go to  
county  
treasury;  
certain  
exceptions

SEC. 2. All fees collected by said county clerk under the provisions of this act shall be by him turned into the general fund of said Elko County each month; *provided*, he may retain for his own use the fees and compensations allowed for all services performed by him as clerk of the district court (and authorized by acts of Congress) in connection with the entry and final proofs relative to government lands, and the naturalization of aliens; *and provided further*, that he shall, pursuant to "An act to provide for the establishment, maintenance, and operation of law libraries in the various counties of this state, and repealing all other acts and parts of acts in conflict therewith," approved March 25, 1913, set aside from the costs received on the commencement in or removal to said district court of any civil action, proceeding, or appeal, such sum as the county commissioners may set for such purpose.

Repeal

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 84—*An Act to provide for the construction and equipment of a high-school building in the city of Sparks, Washoe County, Nevada, the holding of an election, the issuing of bonds and the levying of a tax therefor.*

[Approved March 10, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

High school  
in Sparks

SECTION 1. The board of school trustees of Sparks school district number 29, in Washoe County, State of Nevada, is hereby authorized to prepare and issue bonds of said school district in the amount of \$35,000, exclusive of interest, for the

purpose of providing funds for erecting, furnishing, and equipping a high-school building in the city of Sparks, which building shall be adaptable, among other things, for instruction in manual training and domestic science, purchasing grounds upon which to erect the same, and purchasing and installing a heating plant therein.

SEC. 2. Said board of trustees shall, by resolution entered upon its records, submit the question of contracting a bonded indebtedness for the purpose mentioned in this act to a vote of the qualified electors of said district at the next general election of the school trustees, or at a special election which said board of trustees is hereby authorized to call for such purpose.

Referendum  
vote

SEC. 3. The election provided for in this act shall be called and held and the vote canvassed and returned in all respects as nearly as may be in accordance with the provisions of law now governing the election of school trustees; *provided*, that notice of such election shall be published once a week for two successive weeks preceding said election in a newspaper published in said district. The election notice must contain:

Election  
notice to be  
published

First—The time and place of holding such election.

What to  
contain

Second—The names of inspectors to conduct the same.

Third—The hours during the day in which the polls will be open.

Fourth—The amount and denomination of the bonds, the rate of interest, the number of years the bonds are to run, and the purpose for which the bonds are to be issued. All persons voting on the question submitted at such election shall vote by separate ballot whereon is placed the words "For the Bonds" and "Against the Bonds." The ballots shall be deposited in a separate box provided by the board of trustees for that purpose.

SEC. 4. If, upon the determination of the result of such election, it shall appear that a majority of all the votes cast is "For the Bonds" the board of trustees shall, as soon as practicable, issue the negotiable coupon bonds of the district in such form as the board of trustees shall direct. Said bonds shall be thirty-five in number, numbered consecutively from one to thirty-five, both inclusive, of the denomination of \$1,000 each, bearing date of the day of the resolution of said board of trustees finally adopting the form of said bonds, and redeemable as hereinafter provided. If it shall appear that a majority of all the votes cast is "Against the Bonds" the power of the board of trustees to issue bonds under this act shall not thereby be lost, but said board of trustees shall thereafter, at the next succeeding general election of the school trustees, submit the question of contracting said bonded indebtedness to a vote of the qualified electors of said district in the manner specified in section 3 of this act.

Bonds to be  
issued if  
election  
favorable

SEC. 5. Said bonds shall bear interest from their date until paid at the rate of not to exceed six per cent per annum, payable semiannually. Each installment of interest to the date

Interest not  
to exceed  
6 per cent



Notice of  
sale of bonds  
to be  
published

of maturity of the principal shall be evidenced by appropriate coupons attached to each bond, and both the principal and interest shall be payable in gold coin of the United States of America at the office of the county treasurer of Washoe County, and said bonds shall not be sold for less than their par value and accrued interest, except as hereinafter provided. Before said sale is made, notice thereof must be given by publication in a newspaper published in said district for at least one week before said bonds are sold, inviting sealed bids to be made for said bonds, and said bonds shall be sold to the highest and best bidder therefor; the board of trustees, however, may reserve the right to reject any and all bids and may, if it deems it for the best interest of said district, sell the bonds at private sale at one time, or from time to time, as funds are required for the purpose mentioned in this act, at not less than their par value and accrued interest; *provided*, that if said bonds are issued after the board of county commissioners shall have levied the state and county taxes for that year, said bonds may be sold at par value, less one year's interest thereon, at the rate specified therein, and thereupon the interest coupons upon said bonds for the first year of the term thereof shall be removed and canceled by the county treasurer.

Bonds  
signed by  
school  
officers

SEC. 6. All bonds issued under the provisions of this act shall be signed by the president of the board of trustees, attested by the clerk thereof, sealed with the district seal, and countersigned by the county treasurer; and the interest coupons to be attached thereto shall be signed by the original or engraved facsimile signature of said president, clerk, and treasurer.

Register of  
bonds kept  
by county  
treasurer

SEC. 7. All such bonds shall, before being issued, be registered by the county treasurer in a book kept for that purpose in his office, which registry shall show the school district, the amount and time of payment, and rate of interest, and all such bonds shall bear the certificate of the county treasurer to the effect that they are issued and registered under the provisions of this act. After such registry, the county treasurer shall cause said bonds to be delivered to the purchasers of the same, upon payment being made therefor.

"Sparks  
High School  
Building  
Fund"

SEC. 8. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Sparks High School Building Fund," and to pay out the same upon the warrants of said board of trustees, and for the purpose for which the same were received.

"Sparks  
High School  
Bond  
Redemption  
Fund"

SEC. 9. For the purpose of creating a fund for the payment of said bonds and the interest thereon, the board of county commissioners of Washoe County is hereby authorized and required at the time of making the annual levy of taxes for state and county purposes for the year following the issue of said bonds, and annually thereafter, to levy a sufficient tax on



all taxable property of said district to pay and retire one of said bonds each year beginning with the second year after their issue, and to pay the interest on all of said bonds as and when the same shall become payable. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the county treasurer and set apart as a fund, which is hereby created, to be known as "Sparks High School Bond Redemption and Interest Fund."

SEC. 10. On the first day of July of the second year following the issue of said bonds, and every year thereafter, one of said bonds, together with the accrued interest thereon, shall be paid, and the payment and redemption of said bonds shall be in the order of their issuance, the lowest numbered bond to be first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act shall be paid and redeemed. The coupons thereon shall be paid semiannually as provided in said bonds. If the tax for the interest on the bonds for the first year after their date of issue is not collected in time for use in paying the interest coupons maturing during that year, the county treasurer shall pay the interest accruing on said bonds in said year out of the general county fund, and return to said county fund the sum so advanced out of the first money in said school fund collected from said tax levy. The county treasurer shall cancel said bonds as paid and certify his action to said board of trustees.

When bonds shall be redeemed

SEC. 11. No change in the boundary lines of said district shall release the taxable real property thereof from assessment and levy of the taxes to pay the interest and principal of such bonds, and if there shall be any change in the boundary lines of such school district so as to leave out any portion of the taxable real property of the district which was subject to taxation in the district at the time of the issue of such bonds, the assessment and levy of taxes for the payment of the principal and interest of such bonds shall be made on such property as if it were still within the district, and if there shall be any change of the boundary lines of such school district so as to annex or include any taxable property, after the issue of such bonds, the property so included or annexed shall thereafter be subject to the assessment and levy of a tax for the payment of the principal and interest of such bonds.

Boundaries of district, change of, not to release property from taxes

SEC. 12. All taxes levied and assessed as in this act provided shall constitute a lien on the property charged therewith from the date of the levy thereof by the county commissioners, until the same are paid, and thereafter, if allowed to become delinquent, shall be enforced in the same manner as is now provided by law for the collection of state and county taxes. No additional allowance, fee, or compensation whatever shall be paid to any officer for carrying out the provisions of this act.

Tax lien on property

SEC. 13. Said board of trustees is hereby authorized and directed to use the money derived from the sale of said bonds, or such portion thereof as it may deem necessary, for the pur-

Trustees to purchase site and erect high-school building

chase of a site in the city of Sparks, Nevada, for said high-school building, for the erection thereon of a high-school building, for furnishing and equipping the same, and installing a heating plant therein; and said board shall determine the character of said building, plans, site, materials, furnishings, equipment, and heating plant therefor, and shall advertise for bids for the construction of said building and the furnishings, equipment, and heating plant therefor, either under one contract or under separate contracts, as it shall deem for the best interest of said district, and shall let such contract or contracts to the lowest responsible bidder or bidders as the case may be; and may reject any and all bids and readvertise until a bid or bids satisfactory to it are obtained.

Interest  
ceases,  
when

SEC. 14. If the holder of any of said bonds shall, for any cause, fail to present the same for redemption at maturity, all interest on such bond or bonds which have matured shall thereafter cease.

Surplus  
reverts to  
general  
district  
school fund

SEC. 15. If there shall be any surplus in said "Sparks High School Building Fund," after the completion of said high-school building, furnishings, equipment, and heating plant, such surplus shall without delay be passed by the county treasurer to the credit of the general school fund of said district.

Election  
expenses  
to be paid

SEC. 16. Said board of trustees is hereby authorized to pay out of said "Sparks High School Building Fund," or out of the general fund of said district, all expenses involved in or connected with the holding of an election or elections under this act, and the preparation and issuance of bonds hereunder, and the preparation of plans for said building.

#### CHAP. 85—*An Act for the relief of Mrs. A. R. Shewalter.*

[Approved March 11, 1915]

Preamble

WHEREAS, Mrs. A. R. Shewalter of Reno, Nevada, in the year 1913, at the special instance and request of and for the use of the state board of pardons, transcribed the testimony of Nimrod Urie taken by her in the trial of the case of the State of Nevada v. J. Frank Trammer and Nimrod Urie, her charges for said transcript being the sum of forty-one  $\frac{10}{100}$  (\$41.10) dollars; and

WHEREAS, The said claim was duly allowed by the board of examiners of the State of Nevada on the seventh day of July, 1913, for the above-mentioned sum; and

WHEREAS, No warrant was issued on the said claim in favor of the said claimant by the state controller for the reason that in his opinion there was no appropriation out of which the same could be paid; and

WHEREAS, The said claim is a just and legal claim against said state: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The controller of the State of Nevada is hereby directed to draw and deliver his warrant in favor of the said Mrs. A. R. Shewalter for said sum of forty-one and  $\frac{10}{100}$  (\$41.10) dollars and the state treasurer is directed to pay the same. Appropriation, \$41.10

CHAP. 86—*An Act amending section five of an act entitled "An act to promote the public safety by requiring common-carrier railroads to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation of the provisions thereof," approved March 12, 1913.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 5 of an act entitled "An act to promote the public safety by requiring common-carrier railroads to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation of the provisions thereof," approved March 12, 1913, is hereby amended so as to read as follows: Full-crew law not to apply to railroads less than 95 miles in length, or one-train-a-day railroads

Section 5. The provisions of this act shall not apply to or include any railroad company, or receiver, or manager thereof, of any line of railroad in this state less than 95 miles in length, nor of any line of railroad in this state on which but one train a day is operated each way; neither shall they apply to the operation of light engines and tenders when running as such outside the yard limits.

CHAP. 87—*An Act to appropriate five thousand dollars for the estate of T. F. Richardson.*

[Approved March 11, 1915]

WHEREAS, T. F. Richardson was specially appointed veterinary quarantine officer by a proclamation of Governor Oddie, dated August 14, 1914; and Preamble

WHEREAS, Said T. F. Richardson, while acting as said state quarantine officer and while in the performance of his duties as such officer, was accidentally inoculated with anthrax, from which he died on the 25th day of August, 1914; and

WHEREAS, It is the policy of the state to compensate for death or injury to those engaged in hazardous undertakings or employments; and

WHEREAS, T. F. Richardson and his dependents do not come within the provisions of the industrial insurance act of this state: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$5,000

SECTION 1. For the purpose of compensating the dependents, widow and child, of T. F. Richardson, there is hereby appropriated the sum of five thousand dollars, out of any moneys in the state treasury not otherwise appropriated, for the estate of T. F. Richardson, and the state controller is hereby directed to draw his warrant in favor of the administrator of the estate of T. F. Richardson in the sum of five thousand dollars, and the state treasurer is hereby directed to pay the same.

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CHAP. 88—*An Act for the relief of the Western Union telegraph company.*

[Approved March 11, 1915]

Preamble

WHEREAS, The Western Union telegraph company has a claim against the State of Nevada for services rendered to the superintendent of public instruction and to the governor during the year 1914; which claim was not paid because the appropriations for such services had reverted to the general fund before the claim was presented; and

WHEREAS, Such claim is a just and proper one, having been approved by the state board of examiners on January 25, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$4.16

SECTION 1. The state controller is hereby authorized to draw a warrant for \$4.16, in payment of such claim, to the Western Union telegraph company, and the state treasurer is directed to pay the same.

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CHAP. 89—*An Act for the relief of the board of regents of the University of Nevada.*

[Approved March 11, 1915]

Preamble

WHEREAS, During the year 1914 Dr. W. B. Mack of the state university was directed by the university regents to render services of the value of \$300 to the state quarantine board, relating to the investigation and suppression of diseases of cattle; and

WHEREAS, Dr. Mack receives his salary from United States funds, and has received no pay for the work above mentioned; and

WHEREAS, Such claim is a just and proper one, and has been certified to by the comptroller of the University of Nevada and

the state quarantine board, and has been approved by the state board of examiners on January 2, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw his warrant for the above-mentioned claim of \$300 in favor of the board of regents of the state university, and the state treasurer is directed to pay the same. Appropriation, \$300

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CHAP. 90—*An Act for the relief of E. E. Winters and E. J. L. Taber.*

[Approved March 11, 1915]

WHEREAS, During the year 1914 E. E. Winters, judge of the Eighth judicial district, did incur traveling expenses of \$97.75, and E. J. L. Taber, judge of the Fourth judicial district, did incur traveling expenses of \$38.60, for which they have not been reimbursed, as claims therefor were not presented before the appropriation for such expenses had reverted to the general fund; and Relief of Judges Winters and Taber

WHEREAS, Such claims are just and proper, and have been certified to properly, and approved by the state board of examiners on January 25, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw his warrants in favor of E. E. Winters in the said sum of \$97.75, and also to E. J. L. Taber in the said sum of \$38.60, and the state treasurer is directed to pay the same. Appropriations, \$97.75 and \$38.60

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CHAP. 91—*An Act for the relief of Sam Caramella.*

[Approved March 11, 1915]

WHEREAS, During the year of 1912 Sam Caramella did deliver to the state prison, potatoes to the value of \$71.28, for which he has not been paid, as the bill was not presented in time to be paid from the 1911-1912 prison appropriation, and could not be legally paid from the 1913-1914 appropriation; and Preamble

WHEREAS, Such bill is a just and proper one, having been

approved by the prison commissioners and the board of examiners on January 2, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$71.28

SECTION 1. The state controller is hereby authorized to draw and deliver to Sam Caramella a warrant in the sum of \$71.28, and the state treasurer is directed to pay the same.

CHAP. 92—*An Act to amend section two hundred and eighty of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 7, 1911, the same being section 5222 of Revised Laws of Nevada, 1912.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section two hundred and eighty of the above-entitled act is hereby amended so as to read as follows:

Jury may render general or special verdict in action for recovery of money

Section 280. In an action for the recovery of money only, or specific real property, the jury, in their discretion, may render a general or special verdict. In all other cases the court may, in its discretion, direct the jury to find a special verdict in writing upon all or any of the issues, and in all cases may, in its discretion, instruct them, if they render a general verdict, to find upon particular questions of fact, to be stated in writing, and may direct a written finding thereon. The special verdict or finding must be filed with the clerk and entered upon the minutes. Where a special finding of facts is inconsistent with the general verdict, the former controls the latter, and the court must give judgment accordingly.

CHAP. 93—*An Act fixing the salaries of the county officers of Lander County, State of Nevada, and other matters properly connected therewith.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Fixing salaries of officers of Lander County

SECTION 1. From and after the passage of this act, the following-named officers within Lander County, State of Nevada, shall receive in full payment for all services rendered by them the following salaries and fees:

Sheriff

The sheriff shall receive the sum of twenty-four hundred (\$2,400) dollars per annum, and commission allowed by law

for all collection of all licenses, which shall be compensation **Sheriff** in full for all services rendered. The sheriff shall pay into the county treasury each month all moneys collected by him as fees, in both civil and criminal cases, with a statement certified under oath, and no salary shall be allowed or paid to said officer for any month unless said statement has been so made and filed with the county clerk; *provided*, that when it becomes necessary in criminal cases for the sheriff to travel a greater distance than thirty miles from the county-seat he shall be allowed his necessary traveling expenses; *provided further*, that when it becomes necessary in civil cases for the sheriff to travel a greater distance than thirty miles from the county-seat he shall be allowed his necessary expenses therefor, which shall be made a charge against the party or parties to them cost of action are taxed. The sheriff shall present to the board of county commissioners a bill of items of such necessary expenses actually incurred, and the board of county commissioners shall audit and allow such claims in the same manner as other county expenses are audited and paid. He may appoint a jailer whose salary shall be one hundred dollars per month.

The county assessor shall receive eighteen hundred dollars **Assessor** (\$1,800) per annum, and such fees and commissions as are now allowed by law.

The county recorder, as such and as ex officio auditor, shall **Recorder** receive eighteen hundred dollars (\$1,800) per annum, and the fees allowed under the act of February 27, 1883. He shall perform all county work required in his office, extend the annual assessment roll without further compensation or charge against the county.

The county treasurer shall receive eighteen hundred dollars **Treasurer** (\$1,800) per annum.

The county clerk shall receive twelve hundred dollars (\$1,200) **Clerk** per annum, and such civil fees as are now allowed by law.

The district attorney, as such, shall receive eighteen hundred **District attorney** (\$1,800) dollars per annum, and such fees and commissions as are now allowed by law.

The county commissioners shall each receive a salary of six **Commis-** hundred (\$600) dollars per annum and actual traveling expenses **sioners** when traveling upon the business of said county, said expenses to be sworn to and allowed by said board of county commissioners the same as any other bill against said county.

SEC. 2. All salaries provided for under the provisions of **Paid** this act shall be payable monthly. **monthly**

SEC. 3. All acts and parts of acts in conflict with the **Repeal** provisions of this act are hereby repealed.



CHAP. 94—*An Act to provide for relief to the people of the State of Nevada from, and to further the abatement and prohibition of, contamination and pollution of the waters of the Truckee river at and from points outside the State of Nevada, and making an appropriation therefor.*

[Approved March 11, 1915]

Relating to  
correction  
of con-  
tamination  
of Truckee  
river

WHEREAS, Professor S. C. Dinsmore, of the University of Nevada, has, by a joint resolution of the legislature of this state, been designated and appointed a special commissioner to present to the authorities of the government of the United States all facts relative to certain nuisances committed against the people of this state by reason of the pollution and contamination of the waters of the Truckee river, an interstate stream, at points without this state, by the discharge of waste liquors and other deleterious matters into said stream, to the damage and injury of the people of Nevada, and to in all ways assist said authorities and our senators and representative in Congress to get relief from and an abatement and prohibition of such nuisances; and

WHEREAS, Professor Dinsmore has agreed to render such services to the people of this state without personal remuneration or compensation; and

WHEREAS, It will be necessary in the presentation of these matters to the competent authorities of the government for Professor Dinsmore to make one or more trips to Washington, D. C., and possibly elsewhere, the expenses of which trips and incident to his service in this behalf should be borne by the state: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation of \$1,000 for expenses of special commissioner

SECTION 1. The sum of one thousand (\$1,000) dollars is hereby appropriated from the general fund of the State of Nevada, to be used, or so much thereof as in his opinion is necessary, by a special commissioner appointed by this state to represent it in the effort to obtain relief from and to abate and prohibit the contamination and pollution of the waters of the Truckee river at and from points outside the State of Nevada, in the payment of his traveling and general expenses in specially representing this state in the premises at Washington, D. C., and elsewhere; *provided, however*, that said special commissioner shall file in the office of the state controller vouchers for all expenditures made by him, or written estimate of the expenditures necessary to be made by him, in this behalf, which said vouchers or estimates shall be passed upon and approved by the state board of examiners, not exceeding the amount hereby appropriated, upon which approval the state controller is hereby authorized and directed to draw warrants upon the state treasurer for such sums as the state board of examiners may so approve; and the state treasurer is hereby authorized and directed to pay the same.

SEC. 2. The said special commissioner shall act without salary or compensation, and all moneys, if any, remaining in the fund hereby appropriated, after said special commissioner shall have concluded his labors as such, shall revert to the general fund without further legislative action; *provided*, that said special commissioner shall, upon the completion of his service as such, file written statements to that effect, one with the secretary of state, and one with the state controller.

Residue to  
revert

SEC. 3. This act shall take effect immediately upon its passage and approval.

In effect

CHAP. 95—*An Act to amend section 1 of an act entitled "An act fixing and regulating the salaries of certain officers of Washoe County, Nevada, and the compensation of deputies and assistants in office," approved March 23, 1909.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of an act entitled "An act fixing and regulating the salaries of certain officers of Washoe County, Nevada, and the compensation of deputies and assistants in office," approved March 23, 1909, is hereby amended so as to read as follows:

Fixing  
salary of  
assessor of  
Washoe  
County

Section 1. From and after the approval of this act the assessor of Washoe County, Nevada, shall receive a salary of twenty-six hundred dollars per annum, and the further sum of forty-four hundred dollars per annum to be disbursed as compensation for deputies and traveling expenses.

CHAP. 96—*An Act to establish at the University of Nevada a state veterinary control service, defining its duties, and providing for the conduct of the same, and stating its relation to the state quarantine laws.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The president and board of regents of the University of Nevada are hereby instructed to establish at the University of Nevada a laboratory to be known as the state veterinary control service, for the diagnosis of infectious diseases among animals and the conduct of research into the nature, cause, and control of such diseases.

State  
veterinary  
control  
service at  
university

SEC. 2. The regents of the university shall, from any moneys appropriated therefor, purchase suitable equipment, apparatus, chemicals, and supplies for the maintenance of such veterinary control service at the university.

Equipment,  
etc.

Veterinarian  
must be  
bacteriolo-  
gist

SEC. 3. The regents of the university shall, upon the recommendation of the president, appoint a qualified veterinarian, a bacteriologist, to conduct and direct said control service and shall grant him such assistants as they deem necessary. The individual thus appointed shall be known as the state quarantine officer.

Must  
enforce  
certain laws

SEC. 4. In addition to his duties comprehended under the terms of this act, he shall be the official adviser and executive officer for the enforcement of the provisions contained in chapters 279 and 280 of the Session Laws of the State of Nevada, Twenty-sixth session, 1913; *provided, however*, that wherever in these acts the duties imposed upon such officer require the exercise of the police power of the state, he shall make his recommendation to the governor who shall take such action thereunder as he may deem wise.

Rules for  
conduct of  
service

SEC. 5. The president and board of regents of the University of Nevada may make such rules and regulations for the conduct of the said veterinary control service and for the guidance of the state quarantine officer as they may deem wise for the proper conduct of the office of state quarantine officer, as herein provided. All moneys appropriated by the state provided for the expense of the enforcement of chapters 279 and 280 of the Session Laws of the State of Nevada, Twenty-sixth session, 1913, shall be expended with the approval of the president and board of regents of the University of Nevada.

Repeal  
Effect

SEC. 6. All other acts or parts of acts in conflict with the provisions of this act are hereby repealed. This act shall become immediately effective when passed and approved.

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CHAP. 97—*An Act to establish at the University of Nevada a public service department, known as the department of engineering experimentation, to provide ways and means for aiding settlers, farmers, and other persons in the development of the underground waters of the state by giving expert advice regarding the most probable location, the best method of developing the underground water systems by the testing of, and the recommendation of, the most efficient machinery and power for pumping, and providing an appropriation therefor.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Department  
of  
engineering  
experimen-  
tation at  
university

SECTION 1. There shall be established at the University of Nevada a public-service department known as the department of engineering experimentation, which department shall devote its efforts to the aiding of settlers, farmers, and other persons desiring to develop or who have already developed the underground waters of the State of Nevada, and for the support of which

the sum of five thousand dollars (\$5,000) is hereby appropriated out of the moneys of the state not otherwise appropriated. Appropriation, \$5,000

SEC. 2. The board of regents of the University of Nevada, upon the recommendation of the president, shall designate and appoint a qualified individual who shall be known as the director of engineering experimentation, and who, subject to the approval of the president and the board of regents, shall plan, supervise, and execute the work contemplated by this act. Regents to appoint competent director

SEC. 3. Any person, farmer, corporation, or association may request expert advice or assistance relating to the most probable location, method of developing, the most feasible machinery and power for pumping or the testing of the developed flow of the underground waters of the state, and it shall be the duty of the director appointed as herein provided, if in his opinion conditions justify it, to offer such aid as he shall deem proper to the end that the underground waters of the state may be developed, utilized, and conserved in a degree commensurate with the results of scientific investigations. Expert advice to water seekers

SEC. 4. The expenses thereof shall be allowed and paid out of the moneys appropriated under this act upon certificate of the director of engineering experimentation as other state claims are allowed and paid. Expenses, how paid

SEC. 5. The board of regents of the University of Nevada shall require that the director of engineering experimentation keep an accurate record of all investigations and results thereof, and shall require reports to be filed at the completion of each unit of experimentation, which reports shall be transmitted to the governor, and a concise statement of their results shall be prepared and shall be printed at the state printing office, and it shall be the duty of the treasurer of the county in which the experimentation has taken place to attach such concise report to the tax statement when it is mailed to the taxpayer. Director to keep records

SEC. 6. This act shall take effect upon its passage and approval. In effect

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CHAP. 98—*An Act providing for the consolidation of the various public service departments of the University of Nevada under the heading "Public Service Division of the University of Nevada," and providing for a uniform method of administration and control, and for the making of rules and regulations whereby the work of these departments may be most effective, and stating the departments comprehended herein.*

[Approved March 11, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. It is hereby provided that the several public-service departments of the University of Nevada be consolidated into a "Public Service Division" of the University of Nevada. "Public Service Division" of University of Nevada

SEC. 2. The public service division of the University of Nevada shall consist of the following public-service departments, which have been conducted heretofore by authority of statutes of the State of Nevada, enumerated as follows:

Depart-  
ments  
included

1. State analytical laboratory, provided for in sections 4660-4663, inclusive, of the Revised Laws of the State of Nevada, 1912;

2. State hygienic laboratory, provided for in sections 3941-3945, inclusive, of the Revised Laws of the State of Nevada, 1912;

3. Food and drug control, provided for in chapter 226, Session Laws of the State of Nevada, Twenty-sixth session, 1913;

4. Weights and measures, provided for in sections 4792-4823, inclusive, of the Revised Laws of the State of Nevada, 1912, as amended chapter 228, Session Laws of the State of Nevada, Twenty-sixth session, 1913;

5. Agricultural extension, as provided for in the Session Laws of the State of Nevada, Twenty-seventh session, 1915;

6. State veterinary control service, as provided for in the Session Laws of the State of Nevada, Twenty-seventh session, 1915;

7. Agricultural experiment station, as provided for in sections 456-464, inclusive, of the Revised Laws of the State of Nevada, 1912;

8. Engineering experimentation, as provided for in the Session Laws of the State of Nevada, Twenty-seventh session, 1915.

Regents to  
appoint  
heads of  
departments

SEC. 3. The board of regents of the University of Nevada, upon recommendation of the president, shall designate and appoint a qualified individual to conduct each of these various departments of the public service division, and shall grant him such assistants as they deem necessary, and the powers and duties of these individuals appointed as herein provided shall be as stated in the statutes establishing each of these several departments of the public service division; *provided, however*, that in those instances wherein the statutes concerned impose upon the individual appointed as herein provided any police power, the appointment shall receive the approval of the governor of the state.

Rules and  
regulations

SEC. 4. All rules and regulations necessary for the proper administration and enforcement of the statutes establishing the departments comprehended in this public service division of the University of Nevada shall be made by the president and board of regents of the University of Nevada.

Words  
substituted

SEC. 5. Wherever in any of these statutes establishing the departments comprehended in the public service division of the University of Nevada any individual, official, or department of the university is mentioned, there shall be substituted the words "President and Board of Regents of the University."

Repeal  
In effect

SEC. 6. All other acts or parts of acts in conflict with this act are hereby repealed. This act shall take effect immediately upon its passage and approval.

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CHAP. 99—*An Act relating to the office of the ex officio state insurance commissioner, and extending and further defining his powers and duties; requiring further licenses in connection therewith, other matters relating thereto, repealing acts and parts of acts inconsistent herewith, and providing penalties for the violation hereof.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller of Nevada, acting as ex officio insurance commissioner, is hereby empowered to enforce all insurance laws at present on the statute books, and is additionally empowered as follows:

State controller ex officio insurance commissioner

SEC. 2. It shall be his duty to issue a license to all authorized insurance solicitors upon a written request from the general agents or other responsible officers of such companies as shall have complied with the requirements of the insurance laws of Nevada, said license being good until February 1 of the succeeding year, unless revoked by the insurance commissioner; and any person soliciting insurance in the state, or taking it on behalf of any company without such license, or writing it for any company not authorized to do business in this state, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of \$100, or imprisoned fifty days in the county jail, or both, and be debarred from transacting any more insurance business in the state.

License from solicitors for insurance

Penalty

SEC. 3. The fee for such license shall be one dollar for each company represented.

Fee, \$1

SEC. 4. The state controller, acting as ex officio insurance commissioner, shall have the power to revoke or suspend the license of any insurance company that refuses, neglects or fails to settle any valid claim against it within sixty days after final judgment shall have been entered thereon and notice thereof filed with said state controller.

Licenses suspended, when

SEC. 5. The state controller, acting as ex officio insurance commissioner, shall place all fire insurance required by the State of Nevada upon its property, dealing only with companies authorized to do business in the state; and shall also have the power to inspect all state buildings and order such fire-extinguishing and safety appliances as shall be deemed necessary for the protection of property against fire; and shall have the further power to order the removal of combustibles and rubbish from said property, or order such changes in the entrances or exits of the buildings as shall insure the safety of the inmates, together with such fire escapes as he may deem necessary.

Insurance commissioner to place all state insurance

Power—fire precautions

SEC. 6. Should the commissioners or board in charge of such state property refuse to comply with the order of the state insurance commissioner within thirty days after such



Further  
powers of  
insurance  
commis-  
sioner

order reaches them, the insurance commissioner shall have the power to order the required work done and the required fire-extinguishing and safety appliances installed at the expense of the commission or board having charge of said property, and payment for the same shall be a valid claim against the state.

To make fire  
survey when  
petitioned

SEC. 7. When twenty-five per cent of the taxpayers of any city or town in the state desire a survey of the water-works and fire appliances of the town or city, with a view of asking for a reduction of fire insurance rates, the insurance commissioner shall deputize some suitable person to make such survey and file a full report in his office, said report to be placed with the San Francisco board of underwriters, before which board the state insurance commissioner or deputy shall appear to argue a reduction of insurance rates, should said report warrant it. All the expense of such proceeding shall be borne by the town or city upon whose behalf the proceedings are had, and shall be deposited with the insurance commissioner before action is taken. The compensation allowed such deputy while actually in the employ of the state shall be five dollars per diem and actual expenses while traveling.

To examine  
condition of  
any  
insurance  
company

SEC. 8. The insurance commissioner shall have the right to make an examination of the condition of any insurance company doing business in the state, either upon his own volition or the sworn statement alleging irregularity or insolvency of the company from five *bona fide* policy holders, stockholders, or creditors thereof, and may withdraw or withhold his certificate of authority to do business in this state, pending or subsequent to such an investigation.

General  
insurance  
fund

SEC. 9. The state insurance commissioner is hereby empowered to direct all insurance transactions between the state and the insurance companies, and all the moneys collected for licenses, penalties, or other moneys paid by the insurance companies or solicitors to the state to enable them to transact business in the state shall be paid into the state treasury, there to be set aside in the fund to be known as the general insurance fund, and from which all claims in behalf of the insurance commissioner shall be paid after being duly passed upon and approved by the state board of examiners; *provided, however*, that on January 1 of each year any balance exceeding five thousand dollars in such fund shall be transferred to the general fund of the state.

Over \$5,000  
goes to  
general fund

Attorney-  
general to  
prosecute  
suits

SEC. 10. Where it shall become necessary for the state to sue a delinquent insurance company for moneys due the state, the attorney-general shall conduct the proceedings, and where it becomes necessary to employ additional counsel in the city where the home office of the defendant corporation is located, compensation for such services shall be subject to the approval of the state board of examiners.

Special  
deputy to  
examine  
nonresident  
companies

SEC. 11. The insurance commissioner may appoint as deputy any competent person to make an examination of a nonresident insurance corporation, and the expenses of said examination shall be wholly borne by the company examined, but shall in



no case be higher than the compensation allowed by the local laws of the state for such services where such examination is made.

SEC. 12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal

CHAP. 100—*An Act to amend an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911; effective January 1, 1912.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 373 of the above-entitled act, being section 6638 of the Revised Laws of Nevada, is hereby amended so as to read as follows:

Section 373. Every person who shall feloniously steal, take, and carry away, lead or drive away, the personal goods or property of another, of the value of fifty dollars or more, shall be deemed guilty of grand larceny, and upon conviction thereof shall be punished by imprisonment in the state prison for any term not less than two years nor more than fourteen years. Grand larceny defined; minimum sentence raised

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 101—*An Act to amend sections six and eight of an act entitled "An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof," approved March 24, 1913.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Sections six and eight of said act are hereby amended to read as follows:

Section 6. It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed, to conduct all actions and prosecutions for the same, at the request of the board of pharmacy; and provided further, that any narcotic or narcotics, or their derivatives, may be seized by the judge of the court in which final conviction was had, that the judge shall turn all such evidence over to the Nevada state board of pharmacy; and provided further, that the said board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession, either by gift to the medical director of the Nevada state prison, or the Regulating traffic in poisons and narcotic drugs

state hospital, or by sale to wholesale druggists, the funds received from such sale to be applied by the board of pharmacy to the carrying out of the provisions of this act, creating such Nevada state board of pharmacy.

Certain  
drugs  
named and  
prohibited

Doctors'  
prescrip-  
tions  
excepted

Prescription  
not refilled  
except upon  
written  
order of  
prescriber

Exceptions

Wholesalers  
to keep  
record

Section 8. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away, or offer to sell, furnish or give away, or to have in their or his possession any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this state, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than eight grains of opium, or one grain of morphine, or two grains of codeine, or one-half grain of heroin, or one grain of cocaine, or one grain of alpha eucaine, or one grain of novacaine, or sixty grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the subscriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof; *provided*, that the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale at retail by pharmacies to physicians, dentists, or veterinary surgeons duly licensed to practice in this state; *provided further*, that all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall, before delivery to any person, firm, or corporation of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered per-

sonally or forwarded by mail, express, or by freight, which book shall be substantially as follows:

Date of Sale	Quantity and Name of Article	Name of Purchaser	How Delivered	Name of Person Selling
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Form of record

And said books shall always be opened for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such book shall be preserved for at least five years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compounds, and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or of any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being; *provided, however,* that the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not for substances furnished for the purpose of evading the purposes of this act; *provided,* that the above provisions shall not apply to prescriptions sold or dispensed without a physician's prescription containing less than two grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of nova caine, or one-sixth grain beta eucaine, or ten grains chloral hydrate in one fluid ounce, or if a solid preparation in one ounce avoirdupois ounce, or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals. *And it is further provided,* that it shall be the duty of every proprietor or manager of a pharmacy or drug store, within the State of Nevada, to keep a true and correct record of all orders forwarded to wholesalers, jobbers or manufacturers or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin or chloral hydrate, or any salt, derivative or compound thereof, within the meaning of the provisions of this act; *provided further,* that a true and correct copy of all orders, forwarded by U. S. mail or otherwise, or given personally any traveling salesman, for narcotic drugs as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada state board of pharmacy, within twenty-four hours after the forwarding of such order direct or through a representative or traveling salesman; *and provided further,* the taking of any order, or making of any contract or agreement, by any salesman or

Open to inspection of officers and citizens

Practitioners to prescribe certain drugs only in good faith

Preparations of certain strength not prohibited

Drug-store owners to keep record of orders on wholesalers

Copy of order must be sent state board of pharmacy within 24 hours

Order deemed sale

Drummer  
must  
forward  
copy of  
order to  
state board

Exception  
as to  
Nevada  
wholesaler

representative, or any employee or person, firm or corporation, for future delivery in this state, for any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act; *provided further*, that a true and correct copy of all orders, contracts or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada state board of pharmacy within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler or manufacturer permanently located in this state, as provided for in this section.

CHAP. 102—*An Act to provide for the maintenance and support of the Nevada school of industry for the years 1915 and 1916.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

\$50,000 for  
support of  
Nevada  
school of  
industry

SECTION 1. There is hereby appropriated, out of the general fund of the state or moneys not otherwise appropriated, the sum of \$50,000 for the support and maintenance of the Nevada school of industry for the years 1915 and 1916. All expenditures made out of said fund shall be approved by a majority of the permanent board of government of the Nevada school of industry, allowed by the state board of examiners, and audited by the state controller, as other claims against the state.

CHAP. 103—*An Act to provide for the preparation, printing, and distribution of a schedule showing the changes in the "Revised Laws of Nevada, 1912," wrought by the laws enacted at the special session of 1912 and regular sessions of 1913 and 1915 of the legislature of the State of Nevada.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Providing  
for printing  
schedule of  
changes in  
Revised  
Laws

SECTION 1. The attorney-general is hereby authorized and directed to prepare, or have prepared under his supervision, a schedule showing the changes in the Revised Laws of Nevada, 1912, wrought by the laws enacted at the special session of 1912 and regular sessions of 1913 and 1915 of the legislature of the State of Nevada, and have the same printed in suitable

form, and to distribute the same gratuitously to all proper applicants therefor.

SEC. 2. Said schedule shall be printed at the state printing office. Where printed

SEC. 3. Not more than one thousand copies of said schedule shall be printed. 1,000 copies

SEC. 4. To carry out the purposes of this act the sum of fifty dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to pay for printing said schedule and postage on the distribution thereof, and to be disbursed in the same manner as claims against the state are paid. Appropriation, \$50

#### CHAP. 104—*An Act for the relief of Jonathan Payne.*

[Approved March 12, 1915]

WHEREAS, During the month of September, 1914, Jonathan Payne did render to the State of Nevada clerical and stenographic services in the office of adjutant-general, of the value of \$35, for which he has not been paid because of the lack of funds applicable therefor; and Preamble

WHEREAS, Such claim is a just and proper one against the state, being certified to by the adjutant-general, and approved by the board of examiners January 2, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw a warrant to Jonathan Payne in the sum of \$35, and the state treasurer is directed to pay the same. Appropriation, \$35

#### CHAP. 105—*An Act for the relief of Nellie B. Milligan.*

[Approved March 12, 1915]

WHEREAS, During the year 1913, Nellie B. Milligan rendered to the State of Nevada services to the amount of \$170 in making out table of contents and indexing statutes, senate and assembly journals of 1913, and other clerical work; and Preamble

WHEREAS, Such claim is a just and proper one against the state, and is certified to by the secretary of state, and approved by the board of examiners on December 6, 1913, and January 25, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw and deliver to Nellie B. Milligan a warrant for \$170, and the state treasurer is directed to pay the same. Appropriation, \$170

CHAP. 106—*An Act authorizing the appointment of certain officers and fixing their compensation in Humboldt County.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

One deputy  
sheriff for  
Humboldt  
County

SECTION 1. The sheriff of Humboldt County is hereby allowed and authorized to appoint one regular deputy or under-sheriff, and no more, for said county. Said deputy or under-sheriff shall receive the sum of one hundred and twenty-five (\$125) dollars the month, which salary shall be allowed and paid as the salaries of other county officials are allowed and paid. Said officer shall perform the duties imposed by law and under the supervision of said sheriff.

Janitor for  
courthouse

SEC. 2. The county commissioners of Humboldt County shall appoint one janitor to care for and look after the courthouse and lawn and adjacent county buildings at a salary of not to exceed the sum of seventy-five (\$75) dollars the month.

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 107—*An Act for the relief of certain employees of the state engineer's office.*

[Approved March 12, 1915]

Preamble

WHEREAS, During the year 1914 there was a deficiency in the appropriations for the support of the state engineer's office in the amount of \$178.35, the same being balance of salary for the following-named persons for the month of December, 1914, and for the amounts set opposite their names: Seymour Case, \$30.17; C. C. Smith, \$22.63; F. B. Stewart, \$22.63; R. A. McKay, \$22.63; Parvin Jones, \$15.08; Harvey M. Payne, \$12.06; Fred B. Stewart, \$53.15—\$178.35; and

WHEREAS, Said claims are just and proper, having been approved by the state board of examiners on December 26, 1914: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$178.35

SECTION 1. The state controller is hereby authorized to draw his warrants in favor of the above-named persons for the amounts set opposite their names, totaling \$178.35, and the state treasurer is directed to pay the same.

CHAP. 108—*An Act for the relief of the Verdi lumber company.*

[Approved March 12, 1915]

Preamble

WHEREAS, During the months of October and December, 1912, the Verdi lumber company furnished to the State of



Nevada, for the use of the prison road camps, lumber and supplies to the amount of \$125.99, the bills for which have not been paid owing to the prison road fund being exhausted; and

WHEREAS, Such amount is a just claim against the state, and has been allowed by the board of examiners on January 25, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby authorized to draw and deliver his warrant in favor of the Verdi lumber company for the sum of \$125.99, and the state treasurer is directed to pay the same. Appropriation, \$125.99

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CHAP. 109—*An Act to amend section thirteen of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer, and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," approved March 23, 1911, and repealing all acts and parts of acts in conflict therewith.*

[Approved March 12, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That section 13 of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," approved March 23, 1911, be amended so as to read as follows: Amending public service commission act

Section 13. The commission may prescribe classifications



May classify  
service,  
prescribe  
rules,  
penalties,  
and  
schedules,  
and forms of  
schedules

of the service of all public utilities, and in such classifications may take into account the quantity used, the time when used, and any other reasonable consideration. And said commission may prescribe rules and regulations in relation to the installation of instruments of service of any public utility doing business in this state, and prescribe penalties for failure to comply therewith. Each public utility is required to conform its schedule of rates, tolls, and charges to such classification, for which schedules the commission may, when necessary, prescribe the forms.

Repeal

SEC. 2. All act and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 110—*An Act to provide for the establishment, equipment, and maintenance of kindergarten departments in the public schools.*

[Approved March 13, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Kindergar-  
tens may be  
established  
upon  
petition of  
25 parents

SECTION 1. The board of school trustees of every school district in this state may, upon petition of the parents or guardians of twenty-five or more children between the ages of four and six years, residing within such school district, establish, equip, and maintain a kindergarten or kindergartens. The board of school trustees of every school district in which a kindergarten is established under the provisions of this act shall, at least fifteen days before the month in which the board of county commissioners is required by law to levy the taxes required for county purposes, submit to the board of county commissioners an estimate of funds necessary for the establishment, equipment, and maintenance of such a kindergarten or kindergartens in their districts; and, if sufficient funds for the same are not available in the school funds of such school district, the said board of county commissioners shall have power to direct that a special tax, not to exceed twenty-five cents on the hundred dollars of assessed valuation of such district, shall be levied; and upon notification by the clerk of the board of trustees of such school district that such action has been taken, the board of county commissioners shall levy and cause to be collected such tax upon the taxable property of the district. The fund so levied shall be known as the kindergarten fund of .....school district (as the case may be), and shall be available for the equipment and maintenance of the kindergarten or kindergartens established under the provisions of this section, and the moneys drawn from such fund shall be paid out in the same manner as moneys from the state and county school funds for the maintenance of the elementary schools are

Special tax,  
when

Kindergar-  
ten fund

drawn and paid out. If the average daily attendance in any kindergarten in any school district shall be ten or less for the school year, the governing body for such school district shall, at the close of such school year, discontinue such kindergarten. In case a kindergarten shall be discontinued, as provided by this section, the property and funds of such kindergarten shall immediately revert to the elementary schools of the school district in which said kindergarten has been located.

School discontinued, when

Fund reverts

SEC. 2. This act shall take effect immediately upon its passage.

CHAP. 111—*An Act authorizing the expenditure of money by the state under certain conditions for the purpose of aiding counties in sinking artesian wells.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. When any county of the state shall hereafter have expended in any year for the purposes set forth in section one of an act entitled "An act authorizing the board of county commissioners of the various counties in the state to acquire real estate, and to sink, or cause to be sunk thereon, artesian wells, and making the expense thereof a legal charge against the county," approved February 20, 1913, a sum amounting to four thousand dollars or more, upon the filing in the office of the state controller of a certificate to that effect made by the county auditor, stating the actual amount so expended, which certificate shall also be verified by the oath of a majority of the commissioners of such county, to the effect that such expenditure has been properly made for said purposes, the said controller shall draw a warrant upon the state treasury for a sum equivalent to that certified by the county auditor, not, however, in any instance to exceed the sum of five thousand dollars; and as often as any county of the state shall, from year to year, make a similar expenditure, upon a like certificate from the county auditor, said state controller is authorized, empowered, and directed to draw a like warrant upon the state treasury.

Bounties for artesian wells, how paid

SEC. 2. Upon the presentation of such warrant to the state treasurer, he is hereby authorized, empowered, and directed to pay out of any unappropriated money of the state and to the treasurer of the county from which any such auditor's certificate emanated the sum specified in the warrant of the state controller.

Duties of controller and treasurer

SEC. 3. Such sum or sums, when received by such county, shall be by the board of commissioners set apart in a special fund, and shall be used for the purposes mentioned in the aforesaid act, and for no other.

Special county fund

District  
attorney

The district attorney for services as district attorney shall receive the sum of twelve hundred (\$1,200) dollars per annum, payable in twelve equal monthly installments, in full and complete compensation for all services as district attorney, and all fees and commissions due and collected by him shall be paid into the county treasury; *provided further*, that said district attorney shall prosecute all criminal cases and attend the trials of the same at any place in said county, and also attend to and be the legal adviser for said county. Said salary to be in full compensation for all services and traveling expenses within said county while on official business.

Salaries  
full com-  
pensation

The above salaries shall be in full compensation for all services and ex officio services to be performed by the above-named officers, both civil and criminal, and said officers shall collect all money and moneys due as fees, commissions, or otherwise and pay the same into the county treasury, said salaries so fixed being in full for all services, and said officers shall receive no further or other compensation for such services.

SEC. 2. This act shall take effect from and after July 1, 1915.

In effect  
July 1, 1915

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 114—*An Act authorizing the secretary of state to furnish certain printed documents to the school of law of the Catholic University of America.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Certain  
books given  
Catholic  
University  
of America

SECTION 1. The secretary of state is hereby authorized and directed to donate to the school of law of the Catholic University of America, so far as same can be furnished, one complete set of the appendices of the senate and assembly journals of this state commencing with the first territorial session of the legislature and extending down to the present time; *provided*, he shall deliver said books to such law school in Carson City, or so as to incur no expense for freight thereon.

CHAP. 115—*An Act to amend section one of an act entitled "An act to create judicial districts in the State of Nevada, provide for the election of district judges therein, and to fix their salary, and to repeal all other acts in relation thereto," approved March 22, 1913.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Section 1. The State of Nevada is hereby divided into ten judicial districts. The counties of Storey, Douglas, and Ormsby shall constitute the First judicial district; the county of Washoe shall constitute the Second judicial district; the counties of Eureka and Lander shall constitute the Third judicial district; the county of Elko shall constitute the Fourth judicial district; the county of Nye shall constitute the Fifth judicial district; the county of Humboldt shall constitute the Sixth judicial district; the counties of Esmeralda and Mineral shall constitute the Seventh judicial district; the counties of Lyon and Churchill shall constitute the Eighth judicial district; the county of White Pine shall constitute the Ninth judicial district; and the counties of Lincoln and Clark shall constitute the Tenth judicial district. For each of said districts, judges shall be elected by the qualified electors thereof at the general election in 1918, and every four years thereafter, except as otherwise provided in this act, as follows: For each of said districts, except the Second judicial district, there shall be elected one judge. For the Second judicial district there shall be two judges elected.

Ten judicial districts in state; each described

Two judges, Second district

CHAP. 116—*An Act to authorize the board of county commissioners of White Pine County, State of Nevada, to issue bonds for the purpose of building and furnishing a schoolhouse in Lund school district, and matters properly relating thereto.*

[Approved March 13, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of White Pine County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, such bonds to be issued on or before the first day of February, 1916, for an amount not to exceed the sum of seven thousand (\$7,000) dollars, exclusive of interest, for the purpose of providing funds for the construction of a schoolhouse in the town of Lund in said county (upon a site to be chosen by the board of school trustees of Lund school district), and for equipping and furnishing said building.

Schoolhouse for Lund district, White Pine County

SEC. 2. The board of county commissioners of said White Pine County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Bonds to be issued

Record to  
be kept

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Negotiation  
of bonds

SEC. 4. The board of county commissioners of White Pine County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Denomina-  
tion of bonds

SEC. 5. Said bonds shall be numbered consecutively from one to twenty, and shall be redeemable at the rate of one each year, and the interest on the same shall not exceed six per cent per annum payable annually on the first Monday of July of each year at the office of the county treasurer of the said White Pine County. Said bonds shall be in the denominations as follows: Bonds one to five shall be for the sum two hundred dollars (\$200) each; bonds six to ten shall be for the sum of three hundred dollars (\$300) each; bonds eleven to fifteen shall be for the sum of four hundred dollars (\$400) each; and bonds fifteen to twenty shall be for the sum of five hundred dollars (\$500) each.

"Lund  
School  
District  
Fund"

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Lund School District Fund," and to pay out said moneys only in the manner now provided by law and for the purposes for which the same were received.

Trustees to  
construct  
and equip  
school  
building

SEC. 7. The board of trustees of Lund school district is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the construction, equipment, and furnishing of a school building in the Lund school district, and any balance remaining in said fund, after the completion, equipment, and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining said school, in accordance with and pursuant to the provisions of law pertaining to the establishment of schools in the various counties of this state.

Bids to be  
advertised  
for

SEC. 8. Said board of trustees of Lund school district shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made, said board shall advertise for bids for the construction of said school building, and let the construction thereof by contract to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the

same shall govern, the action of the board of trustees of Lund school district in carrying out the provisions of this act. All demands and bills contracted by said board of trustees of Lund school district shall be paid in the manner now provided by law; *provided*, that no such bills shall be allowed until the plans for said school building shall have been approved by the state superintendent of public instruction.

SEC. 9. As soon as possible after the passage and approval of this act, or after this act shall become a law, the board of trustees of Lund school district shall proceed to select an appropriate site for said school building in the town of Lund, in said county, and the board of trustees of said county shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

Trustees to  
select site

SEC. 10. The county treasurer of said White Pine County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

Treasurer  
responsible

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said White Pine County is hereby authorized and required to levy and collect annually a special tax upon the assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines within the boundaries of said Lund school district, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, one of said bonds annually beginning on the first Monday in July, 1916, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Lund School District Fund"; *provided, however*, that if the amount of the tax levied upon the property within said Lund school district shall at any time be insufficient to pay the interest on said bonds and provide for the retirement as provided in this section, the board of county commissioners of said White Pine County are hereby required to levy and collect annually a special tax on the assessment valuation of all property, real and personal, subject to taxation, including the proceeds of mines within the boundaries of said White Pine County, and continue such levy from year to year to meet any deficit which may occur in said Lund school district fund, and the faith and credit of White Pine County is hereby pledged to the prompt and ready payment of said bonds and the interest thereon according to the terms, conditions, and tenor thereof.

"Lund  
School  
District  
Fund"

Tax on  
district  
property

Tax on  
county  
property

SEC. 12. It shall be obligatory on the said county and on its proper officers to pay in full the accrued interest on said

Interest  
must be  
paid



bonds, beginning on the first day of July, 1916, and thereafter on the first day of July in each and every year, until all of said bonds shall have been redeemed and retired.

Tax ceases,  
when

SEC. 13. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of said Lund school district.

Treasurer to  
cancel  
paid bonds

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Interest  
ceases,  
when

SEC. 15. Should the holder of said bonds or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment, when they become due, all interest on such bonds shall thereafter immediately cease.

Faith of  
state  
pledged

SEC. 16. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

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CHAP. 117—*An Act to amend "An act concerning public schools and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 28 of the above-entitled act is hereby amended to read as follows:

Life  
diplomas  
granted to  
teachers,  
conditions

Section 28. The state board of education may grant a life diploma to any resident of the State of Nevada who shall present evidence of having taught successfully and continuously for a period of seventy-two months, twenty-four of which shall have been in the State of Nevada. Such life diploma may be granted to any resident of Nevada who shall have taught the required number of months, and who shall hold a renewable Nevada certificate, or who shall hold a special certificate that shall have been the applicant's only license to teach for a period of at least seventy-two months previous to the application for such life diploma. A life diploma granted under this section shall be of the same grade and of the same name as the certificate held by the applicant at the time of the application for the life diploma, and shall entitle the holder thereof to teach



in any school in the State of Nevada of the grade of the certificate upon which the life diploma was granted, or to teach those subjects in any school which the special certificate entitled the holder to teach at the time of the application for the life diploma.

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed.

CHAP. 118—*An Act for the relief of Virginia City Miners' Union Number Forty-six, Western Federation of Miners.*

[Approved March 15, 1915]

WHEREAS, The Virginia City Miners' Union Number Forty-six, Western Federation of Miners, furnished to the Virginia City school of mines for school purposes its lower hall from January 1, 1912, to January 1, 1913, at a stipulated rental of ten dollars (\$10) per month, making a total rental for said period of one hundred and twenty (\$120) dollars; and

WHEREAS, An appropriation was duly made for the support of said Virginia City school of mines by the legislature of the State of Nevada in the year 1911; and

WHEREAS, Through an inadvertence in the presentation of the above-mentioned claim for rent no warrant could be drawn in payment thereof; and

WHEREAS, The said claim is a just and legal claim against the State of Nevada, and has been duly allowed by the board of examiners of said State of Nevada: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller of the State of Nevada is hereby directed to draw his warrant in favor of said Virginia City Miners' Union Number Forty-six, Western Federation of Miners, for the sum of one hundred and twenty dollars (\$120) in payment of the above-mentioned claim, and the state treasurer is hereby directed to pay the same.

Preamble  
Appropriation, \$120

CHAP. 119—*An Act for the relief of the California school for the deaf and the blind.*

[Approved March 15, 1915]

WHEREAS, The California school for the deaf and the blind has a balance due for 1912 of \$39.07 against the State of Nevada for supplies furnished children committed thereto by the State of Nevada; and

WHEREAS, Such balance is a just and proper claim, being certified to by the superintendent of public instruction, and

Preamble

approved by the board of examiners January 25, 1915: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$39.07

SECTION 1. The state controller is hereby authorized to draw a warrant in favor of the California school for the deaf and the blind for the sum of \$39.07, and the state treasurer is directed to pay the same.

CHAP. 120—*An Act to amend section four of an act entitled "An act consolidating certain county offices in Lyon County, and regulating the compensation of the county officers in said county," approved March 16, 1891, approved February 18, 1893, approved March 10, 1897, approved March 13, 1905, approved March 20, 1907, approved March 20, 1911.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section four of said act is hereby amended so as to read as follows:

Salary of  
recorder of  
Lyon  
County

Section 4. On and after the first day of March, 1911, the county recorder, as ex officio county auditor of Lyon County, shall receive an annual salary of eighteen hundred dollars, which shall be in full compensation for all services of every nature and kind performed by him for said county as county recorder and ex officio county auditor, or by virtue of each or either of said offices. He shall make no charge for services performed for the county, but all fees of every kind authorized by law, and by virtue of said office, shall be collected by him and paid to the county treasurer on the first Monday of each and every month, and he shall at the same time prepare and file with the county treasurer a full and accurate itemized statement, under oath, of all such fees legally collectible, or collected by him in his official capacity during the month previous, and also file a duplicate copy thereof with the board of county commissioners. The said county recorder shall have authority in cases of emergency, by and with the consent of the board of county commissioners of Lyon County, by order duly entered in its minutes, to appoint one or more deputies at a salary not to exceed one hundred dollars per month each, to be paid out of the general fund of Lyon County, and shall continue to be paid said salary only during the pleasure and consent of said board.

Deputies,  
when

CHAP. 121—*An Act in relation to the keeping and preservation of the state museum of mineralogical, geological, and other historical specimens.*

[Approved March 15, 1915]

WHEREAS, The Nevada historical society, trustee for the State of Nevada, has for one of its main objects the collection of historical material for a state museum and historical library; and

WHEREAS, Said society is now provided with a brick building for the housing of said museum and library; and

WHEREAS, The state museum, including the Pioneer society collection and other historical materials, now housed in the office of superintendent of public instruction, and by act of February 1, 1877, placed in the custody of said superintendent of public instruction, cannot be given room in the new office in the capitol; neither, by reason of other duties, has he time to act as curator of the same: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state mineral cabinets and other cases, mineral and other specimens and historical books, pictures, and curios, which constitute the state museum in the office of superintendent of public instruction, are hereby transferred to the custody of the Nevada historical society, to be kept and preserved by said society for the benefit of the people of the state.

SEC. 2. One hundred and twenty-five (\$125) dollars are hereby appropriated for the proper inventorying, packing, and moving of this collection from its present quarters to the building of the Nevada historical society.

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 122—*An Act providing for the payment of legal services rendered by L. A. Gibbons to the board of prison commissioners of the State of Nevada.*

[Approved March 15, 1915]

WHEREAS, During the year 1912, L. A. Gibbons rendered legal services to the board of prison commissioners of the State of Nevada at the request of said board, relative to the investigation of prison affairs under the wardenship of Raymond T. Baker, and also relative to the investigation of the escape of convict Fred Skinner; and

WHEREAS, The reasonable value of said services so rendered

by said L. A. Gibbons to said board is the sum of \$500, no part of which has been paid: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$500

SECTION 1. The sum of \$500 is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, for the payment of the said L. A. Gibbons for the said services so rendered, and in full compensation for all of said services.

Duties of controller and treasurer

SEC. 2. The state controller is hereby directed to draw his warrant in favor of said L. A. Gibbons for the sum of \$500, and the state treasurer is hereby directed to pay the same.

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CHAP. 123—*An Act for the relief of the J. I. Allenbach fuel company.*

[Approved March 15, 1915]

Preamble

WHEREAS, The J. I. Allenbach fuel company in the month of December, 1914, furnished to the Nevada hospital for mental diseases a carload of fuel oil at and for the price of five hundred and fourteen and  $\frac{9}{100}$  dollars; and

WHEREAS, The said claim was not paid owing to a deficiency in the appropriation for the maintenance of said institution; and

WHEREAS, The said claim has been approved by the board of directors of the said Nevada hospital for mental diseases, and has been examined and allowed by the board of examiners of the State of Nevada in the amount above mentioned; and

WHEREAS, The said claim is a just and legal claim against the State of Nevada, and should be paid: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$514.90

SECTION 1. The state controller is hereby directed to draw his warrant in favor of the said J. I. Allenbach fuel company in the sum of five hundred and fourteen and  $\frac{9}{100}$  dollars, and the state treasurer is directed to pay the same.

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CHAP. 124—*An Act to regulate fees and compensation for official and other services in the county of Mineral, State of Nevada.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Fees of officers of Mineral County

SECTION 1. The several officers and persons named in this act may demand and receive for their services, rendered in discharging the duties imposed upon them by law, the fees and compensation hereinafter specified.

SEC. 2. The county clerk of Mineral County, State of Nevada, shall be allowed to charge and to collect the following fees: County clerk's fees

For all service performed by him in any action or proceeding (except a probate or guardianship proceeding) to and including the making up of the judgment roll, seven dollars, to be collected in advance from the party commencing the action or proceeding; *provided*, that in cases where an injunction or attachment or a receiver is asked for, an additional advance fee of two dollars and fifty cents shall be charged and collected, said fee or fees to be in addition to the court fee of three dollars now provided for by law. Fees of county clerk

For filing cross-complaint, counter-claim, or a complaint in intervention, three dollars and fifty cents.

For entering judgment by confession, three dollars and fifty cents.

For services performed in an action appealed from a justice court, five dollars.

For filing and indexing papers on transfer of a cause from the district court of another county, three dollars and fifty cents.

For transmission of files and papers upon a granting of a change of venue to the district court of another county, or to the United States court, exclusive of express charges or postage, two dollars and fifty cents.

For issuing a commission to take testimony, one dollar.

For filing notice and undertaking and all services, including indexing, upon appeal to the supreme court, three dollars and fifty cents.

For all services after judgment roll is made up, pending an appeal to the supreme court (not including the making of copies), two dollars and fifty cents, to be paid by the party moving for a new trial or to set aside judgment.

For service performed in proceedings to perpetuate testimony, one dollar.

For services performed in an adoption case, five dollars.

For certificate of dismissal of an appeal, when prepared by the clerk, three dollars and fifty cents, and when prepared and furnished by the attorneys, two dollars.

For filing remittitur from the supreme court, one dollar; and for recording judgment entered thereon, thirty cents per folio.

For issuing execution or order of sale, one dollar; and for copying decree and return, thirty cents per folio.

For filing any paper in any cause after judgment, not otherwise provided for, fifty cents.

For issuing transcript of judgment and certifying thereto, two dollars.

For taking and certifying depositions, for each folio, thirty cents, besides five dollars for each day's attendance.

For services in probate and guardianship proceedings, up to

Fees of  
county clerk

and including the final settlement of the case, eight dollars and fifty cents, to be paid by the petitioner; *provided*, that at the time of filing the inventory and appraisement, in any such proceeding, there shall be an additional deposit of one dollar for each additional one thousand dollars of the appraised value in excess of two thousand dollars; said fee to be paid in addition to the court fee now provided by law.

For filing a petition to contest any will or codicil, or objections or cross-petitions to the appointment of an executor, administrator, or guardian, or objections to the settlement of accounts, or any other proceeding in an estate or guardianship matter, five dollars, to be paid by the moving or objecting party.

For filing the appearance of any defendant, or any number of defendants answering jointly, to be paid upon filing the first paper in the action by him or them, five dollars; for every additional defendant appearing separately, two dollars and fifty cents.

For any copy of any record, proceeding, or paper, upon file in the office of the clerk, relating to any civil action or proceeding theretofore tried or pending in said court, when such copy is made by him, per folio, thirty cents, and when such copy is not made by him, per folio, ten cents; and for each certificate thereto, one dollar.

For each certificate of the clerk under seal of the court, one dollar.

For issuing a marriage license (one-half to be paid to the county recorder), two dollars.

For filing, indexing, and recording articles of incorporation, five dollars.

For filing, indexing, and recording certificates of copartnership and all services in connection therewith, two dollars and fifty cents.

For filing and indexing all papers to be kept by him, other than papers filed in actions and proceedings in court, and official bonds and certificates of appointment, fifty cents.

For filing, indexing, and recording any and all papers which are not hereinbefore provided for, one dollar and fifty cents.

For making satisfaction of or credit on judgment, fifty cents.

For administering each oath, without certificate, except in a pending action or proceeding, twenty-five cents.

For taking any affidavit, except in pending suits or in criminal cases, fifty cents.

For searching records and files in his office, for each year (but not to charge suitors or attorneys), fifty cents.

For taking acknowledgments of deed or other instruments, including certificate and seal, for the first name, one dollar, and for each subsequent name, twenty-five cents.

For issuing certified copy of naturalization papers, to be used in land cases, for the first papers, two dollars, and for final papers, four dollars.

No fees shall be allowed to or charged by the clerk for any service rendered in any criminal case.

SEC. 3. The county recorder of Mineral County, State of Nevada, shall be allowed to charge, and to collect, the following fees: Fees of recorder

For receiving, filing, and entering documents required to be recorded, twenty-five cents.

For filing and entering any paper not to be recorded, fifty cents.

For making all necessary indexes to each paper filed or recorded, for each name to be indexed, fifty cents.

For recording any instrument, paper, or document, for each folio, thirty cents.

For every certificate under seal, one dollar.

For every entry of discharge of mortgage on the margin of records, fifty cents.

For abstract of title for each document embraced thereby, one dollar.

For searching records and files, for each document necessarily examined, fifty cents.

For recording any survey or map other than town plat, for each course, fifty cents.

For recording town plat, for each lot or separate subdivision exhibited thereby, twenty-five cents; for each folio of lettering or figuring thereon, or in the certificate and description of the same, one dollar.

For recording certificates of marriage, death, divorce, or birth, one dollar.

For copy of any record or document in his office, the same fees as for recording.

For taking acknowledgment, including certificate and seal, for first signature one dollar; for each additional signature, twenty-five cents.

For recording or copying any paper in foreign language, double the fees as when in English.

No map or plat shall be recorded exceeding in size two folios of the usual size records.

For preparing the abstract of unsatisfied mortgages required for the board of equalization, for each, twenty-five cents.

SEC. 4. The sheriff of Mineral County, State of Nevada, shall be allowed to charge, and to collect, the following fees: Fees of sheriff

For serving a summons or complaint, or any other process by which an action or proceeding is commenced, on every defendant, two dollars.

For traveling and making such service, per mile, in going only, to be computed in all cases, the distance actually traveled, fifty cents for the first ten miles, and for each and every additional mile forty cents; *provided*, that if any two or more papers are required to be served in the same suit, at the same time, where parties live in the same direction, one mileage only shall be charged.



Fees of  
sheriff

For taking bond or undertaking in any case in which he is authorized to take the same, one dollar and fifty cents; for copy of any writ, process, or other paper, when demanded or required by law, for each folio, thirty cents.

For serving every notice, rule, or order, one dollar; for serving subpoena, for each witness summoned, fifty cents; for traveling, per mile, in serving such subpoena or venire, in going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents; but when two or more witnesses or jurors live in the same direction, traveling fees shall be charged only for the most distant.

For serving an attachment on property, or levying an execution, or executing an order of arrest or order for delivery of personal property, three dollars, together with traveling fees, as in cases of summons.

For making and posting notices and advertising for sale on execution or under any judgment or order of sale, not to include the cost of publication in a newspaper, two dollars.

For commissions for receiving and paying over money on execution or process, where lands or personal property has been levied on, advertised, and sold, on the first five hundred dollars, four per cent; on any sum in excess of five hundred dollars, and not exceeding one thousand dollars, two per cent; on all sums above that amount, one per cent.

For commissions for receiving and paying over money on execution without levy, or when the lands or goods levied on shall not be sold, on the first five hundred dollars, one per cent; on all over that sum, one-half of one per cent. The fees herein allowed for the levy of an execution, for advertising, and for making and collecting money on an execution, shall be collected from the defendants by virtue of such execution, in the same manner as the same may be therein directed to be made.

For drawing and executing every sheriff's deed, to be paid by the grantee, who shall, in addition, pay for the acknowledgment thereof, five dollars.

For serving a writ of possession or restitution putting any person into possession entitled thereto, five dollars.

For traveling in the service of any process not hereinbefore mentioned, for each mile necessarily traveled, for going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents.

He shall also be allowed further compensation for his trouble and expense in taking possession of property under attachment or execution or other process, and of preserving the same, as the court from which the writ or order may issue shall certify to be just and reasonable.

For every arrest in a criminal proceeding, three dollars.

For serving each subpoena in criminal cases, fifty cents.

For service of any process in a criminal case, the same mileage as in civil cases.

In serving subpoenas or venire in criminal cases, he shall receive mileage for the most distant only, where witnesses and jurors live in the same direction.

For all services in justice courts, the same fees as are allowed to constables.

SEC. 5. The fees of coroners of Mineral County, State of Nevada, shall be as follows: Fees of coroners

For all services in summoning a jury of inquest, three dollars; for swearing a jury, fifty cents; for issuing warrant of arrest, seventy-five cents; for issuing subpoena to each witness, twenty-five cents; for each mile necessarily traveled in going to the presence of the dead body, twenty-five cents; for swearing each witness, twenty-five cents; for taking down testimony, per folio, twenty cents; for each day necessarily employed in holding an inquest, five dollars. All of said fees shall be paid out of the county treasury as other demands.

For all services by him while acting as sheriff, the same fees as are allowed to sheriffs for similar services.

SEC. 6. The fees of constables of Mineral County, State of Nevada, shall be as follows: Fees of constables

For serving summons or other process by which suit is commenced in civil cases, one dollar.

For summoning a jury before a justice of the peace, two dollars.

For taking a bond or undertaking, one dollar.

For serving an attachment against the property of a defendant, two dollars.

For serving subpoenas, for each witness, twenty-five cents.

For summoning and swearing a jury to try the rights of property, and taking the verdict, two dollars.

For receiving and taking care of property on execution, attachment, or order, his actual necessary expenses, to be allowed by the justice who issued the execution, upon the affidavit of the constable that such charges are correct, and the expenses necessarily incurred.

For a copy of any writ, process, or other paper, when demanded or required by law, per folio, thirty cents.

For drawing and executing every constable's deed, to be paid by the grantee, who shall also pay the acknowledgment thereof, five dollars.

For each certificate of sale of real estate under execution, one dollar.

For collecting all sums on execution, to be charged against the defendant in execution, two per cent.

In levying an execution or executing an order of arrest in civil cases, or order for delivery of personal property, with traveling fees as for summons, two dollars.

For making and posting notices, and advertising property for sale on execution, not to include the cost of publication in a newspaper, two dollars.

Fees of  
constables

For mileage in serving summons, attachment, execution, order, venire, subpoena, or other process in civil cases, for each mile necessarily traveled, in going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents; *provided*, that when two or more persons are served in the same suit, mileage shall only be charged for the most distant, if they live in the same direction.

For service in travel in criminal cases, the same fees as are allowed sheriffs for like services.

For all other services, except for attending court, the same fees as are allowed sheriffs for similar services.

Fees of  
justices of  
peace

SEC. 7. Justices of the peace in Mineral County, State of Nevada, shall be allowed the following fees:

For filing each paper, twenty-five cents.

For issuing any writ or paper, by which suit is commenced, one dollar.

For entering cause in docket, fifty cents.

For subpoena to witness, twenty-five cents.

For administering oath or affirmation, twenty-five cents; certifying to same, twenty-five cents.

For issuing writ of attachment or arrest, or order for the delivery of property, two dollars.

For entering final judgment, per folio, for the first folio, one dollar; for each additional folio, fifty cents.

For taking and approving any bond or undertaking, required by law to be taken or approved by him, one dollar.

For issuing a venire, one dollar.

For taking depositions, per folio, twenty-five cents.

For issuing commissions to take testimony, one dollar.

For copy of any judgment, order, docket, proceeding, or paper in his office, per folio, twenty-five cents.

For entering satisfaction of judgment, fifty cents.

For issuing execution, one dollar.

For taking acknowledgments of deeds or other instruments, including certificates, for the first name, one dollar; for each subsequent name, twenty-five cents.

For issuing *supersedeas* to an execution, one dollar.

For making up and transmitting transcript and paper on appeal, two dollars.

For issuing search warrant, one dollar.

For celebrating marriage and returning certificate to recorder, five dollars.

For issuing writ of restitution, one dollar.

For all services and proceedings in a criminal action, the same fees as are allowed in civil cases, but in no case shall there be a charge against the county exceeding in any one case the sum of ten dollars; *provided*, that in preliminary examinations in criminal cases, the justice of the peace, sitting as a committing magistrate, shall be allowed, in addition to other fees allowed by law, for taking testimony, where a reporter is

not employed, for the first folio, fifty cents; for each additional folio, twenty-five cents.

For taking bail after commitment in criminal cases, to be collected from the defendant, one dollar. Fees of justices of peace

For entering any cause without process, one dollar.

For entering judgment by confession, as in the district court, three dollars.

For each motion, exception, rule, order, default, dismissal, discontinuance, or non-suit, and for filing each paper required to be filed, twenty-five cents.

SEC. 8. Witnesses required to attend in the courts of Mineral County, State of Nevada, shall be entitled to the following fees: Witness fees

For attending in any civil suit or proceeding before any court of record, referee, commissioner, or justice of the peace, for each day's attendance, three dollars; and thirty cents per mile for each mile necessarily and actually traveled, one way only; *provided*, that no person shall be obliged to testify in a civil action unless his fees and mileage have been tendered him, or he shall not have demanded the same; *and provided further*, that no person shall be obliged to testify in a civil action unless his fees have been tendered him, if he demanded the same, for mileage and one day's attendance; for each subsequent day's attendance, the witness is entitled to demand in advance his fees from the party in whose favor he has been subpoenaed; and in case of refusal, is exonerated from further attendance. Witness fees in civil cases shall be taxed as disbursement costs against the defeated party upon proof by affidavit that the disbursements have actually been made. Costs shall not be allowed for more than two witnesses to the same fact or series of facts, nor shall party, plaintiff or defendant, be allowed any fees for attendance as a witness in his own behalf. No per diem or mileage shall be allowed or paid in criminal cases except for attendance upon the district court, or appearance before the grand jury in obedience to a subpoena.

SEC. 9. *Jurors*: Each person summoned to attend as a grand or trial juror in Mineral County, State of Nevada, unless he be excused by the court at his own request from serving on the day he is summoned to attend, shall receive three dollars per day for each day he may be in attendance, and thirty cents per mile for each mile necessarily and actually traveled, one way only. In civil cases the per diem of each juror engaged in the trial of the cause shall be paid each day in advance to the clerk of the court or the justice of the peace, by the party who shall have demanded the jury; but in case the party paying such fees be the prevailing party, the fees so paid shall be recoverable as costs from the losing party. If the jury, from any cause, be discharged in a civil action without finding a verdict, and the party who demands the jury shall afterwards obtain judgment, the fees so paid shall be recoverable as costs from the losing party. Jurors in justice courts shall receive Fees of jurors

Fees of  
jurors

but two dollars per day in civil cases; *provided*, that no fees shall be allowed or mileage paid trial jurors in criminal cases in justice courts. The fees paid jurors by the clerk for service in civil actions shall be deducted from the amounts due them from the county for attendance upon the court, and the balance only shall be a charge against the county. Coroners' jurors (with not more than six persons upon the jury) shall be entitled to receive for each day's service, two dollars and fifty cents, to be allowed, audited, and paid as are other claims against the county; *provided*, that when it is necessary for said coroner's jury to travel a distance greater than one mile to view the remains or to the place where said inquisition is held, the necessary and actual expenses incurred by said coroner for the transportation of the jury, shall be allowed, audited, and paid as are other claims against the county.

Officers of  
county to  
pay all fees  
into  
treasury

SEC. 10. All fees collected by each of the aforesaid officers of Mineral County, under the provisions of the foregoing act, in their official or ex officio capacity, except the justices of the peace and constables, shall be by them paid into the county treasury on or before the first Monday of each month.

Repeal

SEC. 11. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

In effect

SEC. 12. This act shall take effect from and after its passage and approval.

CHAP. 125—*An Act to establish commissioner districts in the county of Clark, and providing for the election therefrom of members of the board of county commissioners.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

County com-  
missioner  
districts in  
Clark  
County  
Districts  
described

SECTION 1. The county of Clark is hereby divided into three commissioner districts as follows:

1. All that portion of Clark County comprising Las Vegas Township shall be known as commissioner district No. 1, and shall be represented by one member of the board of county commissioners.

2. All that portion of Clark County situated south of Las Vegas Township shall be known as commissioner district No. 2, and shall be represented by one member of the board of county commissioners.

3. All that portion of Clark County situated to the north and the east of Las Vegas Township shall be known as commissioner district No. 3, and shall be represented by one member of the board county commissioners.

One to be  
elected from  
each district

SEC. 2. At every election hereafter, at which county commissioners are to be elected, one member of the board of county commissioners shall be elected from each one of said districts in which a vacancy may exist or may impend

because of the expiration of the term of office of the incumbent member from that district.

SEC. 3. This act shall become operative from and after its In effect passage and approval.

SEC. 4. All acts and parts of acts in conflict herewith are Repeal hereby repealed.

CHAP. 126—*An Act regulating the fees of the office of surveyor-general, and other matters relating thereto.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The surveyor-general shall charge the following fees: For the making of any copy of any instrument, twenty cents per folio; for making plats, or copies of plats or maps, he shall charge the actual cost of the preparation thereof, plus twenty per cent. All fees charged and collected shall be accounted for by the surveyor-general, and shall be paid into the state treasury of the State of Nevada for the general fund.

Fees of  
surveyor-  
general

SEC. 2. All acts and parts of acts in conflict herewith are Repeal hereby repealed.

CHAP. 127—*An Act to amend an act reducing and regulating the salaries and compensation of certain state officers and attachés of the state government of Nevada, approved February 21, 1881.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 7 of the above-entitled act is hereby amended to read as follows:

Section 7. To state senators and members of the assembly, ten dollars per day for each day of service; *provided*, the total amount so paid shall not exceed the sum of six hundred dollars at any regular session, and ten cents per mile for each mile actually traveled in going to and returning from the place of meeting, which said mileage shall, however, be computed, in all cases, upon the shortest practical routes to the said place of meeting; *provided*, that each member may be allowed not exceeding twenty dollars for the purchase of newspapers and stationery during the session.

Per diem of  
senators and  
assembly-  
men

Stationery  
allowance,  
\$20



CHAP. 128—*An Act to amend section one of an act entitled "An act to promote the public safety by requiring common-carrier railroads to provide and equip all locomotives in road service with headlights of lighting capacity of 1,500-candle power, and prescribing penalty for the violation of the provisions thereof," approved February 28, 1913, and to repeal section 2 of said act.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Locomotive headlights must be 1,500-candle power	or receiver, owning or operating a railroad in this state, is hereby required to equip, maintain, use, and display at night upon each and every locomotive being operated in road service in this state, an electric or other headlight of at least 1,500-candle power, measured without the aid of a reflector; <i>provided</i> ,
Certain other light deemed equivalent	that any electric headlight, which will pick up and distinguish an object the size of a man dressed in dark clothes upon a dark, clear night at a distance of 1,000 feet, shall be deemed the equivalent of a 1,500-candle power headlight measured without the aid of a reflector; <i>provided further</i> , that this act
Exceptions	shall not apply to locomotive engines regularly used in switching cars or trains; <i>and provided further</i> , that this act shall not apply to railroads not maintaining regular night-train schedules nor to locomotives going to or returning from repair shops when ordered in for repairs.

Repeal

SEC. 2. Section 2 of the above-entitled act is hereby repealed.

CHAP. 129—*An Act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation, and repealing a certain act.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Inspectors of hides to be appointed, when	SECTION 1. It shall be the duty of any board of county commissioners of any county of this state, upon the application in writing of three or more property owners in any township of any county of the state, to appoint in and for said township and for such length of time as may be deemed necessary, not exceeding two years, an inspector of hides, whose duty it shall be to examine, when requested so to do by any three taxpayers of said township, the hides of any or all cattle killed in said township, and to mark such hide inspected in such a
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manner as may be indicated by the said board of county commissioners, and shall, upon the request of said taxpayers aforesaid, have the right, and it shall be his duty, to go upon the premises of any resident of such township and make search for any hides concealed, or which such inspector or said taxpayers may have reason to believe are concealed upon said premises, and shall report in writing, to the district attorney of the county in which he has been appointed, at such time as may be designated by the said board of county commissioners making the appointment, giving the number of hides inspected, the brands or other marks upon such hides, the names of the persons in whose possession they were found, and whether the persons having them in possession had killed the cattle from which the hides were taken, or had obtained them from other persons, and the names of such persons.

Inspectors  
to search  
premises,  
when

SEC. 2. The rate of compensation of such inspectors shall be fixed by the said board of county commissioners at the time the appointments are made, and shall be paid by the parties on whose petitions they are appointed, or by the taxpayers upon whose request they act, as provided in section one of this act.

Pay of  
inspectors

SEC. 3. An act entitled "An act to amend an act entitled 'An act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation,' approved March 3, 1881," approved March 10, 1897, is hereby repealed.

Repeal

CHAP. 130—*An Act to amend an act entitled "An act to amend section 1 of an act entitled 'An act to regulate the settlement of estates of deceased persons,' approved March 23, 1897, and as amended and approved March 16, 1899, approved March 6, 1901," and as amended March 11, 1913.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 259 of the above-entitled act is hereby amended so as to read as follows:

Section 259. When any person having title to any estate, not otherwise limited by marriage contract, shall die intestate as to such estate, it shall descend and be distributed, subject to the payment of his or her debts, in the following manner:

Estate of  
intestate,  
how  
distributed

First—If there be a surviving husband or wife, and only one child, or the lawful issue of one child, one-half to the surviving husband or wife, and one-half to such child or issue of such child. If there be a surviving husband or wife and more than one child living, or one child living and the lawful issue of one or more deceased children, one-third to the surviving husband

Estate of  
intestate,  
how  
distributed

or wife, and the remainder in equal shares to his or her children, and to the lawful issue of any deceased child by right of representation. If there be no child of the intestate living at his or her death, the remainder shall go to all of his or her lineal descendants, and if all of the said descendants are in the same degree of kindred to the intestate, they shall share equally, otherwise they shall take according to the right of representation.

Second—If he or she shall leave no issue, the estate shall go, one-half to the surviving husband or wife, one-fourth to the intestate's father and one-fourth to the intestate's mother, if both are living; if not, one-half to either the father or mother then living. If he or she shall have no issue, nor father, nor mother, the whole community property of the intestate shall go to the surviving husband or wife, and one-half of the separate property of the intestate shall go the surviving husband or wife, and the other half thereof shall go in equal shares to the brothers and sisters of the intestate, and to the children of any deceased brother or sister by right of representation. If he or she shall leave no issue, or husband, or wife, the estate shall go, one-half to the intestate's father and one-half to the intestate's mother, if both are living, if not, the whole estate shall go to either the father or mother then living. If he or she shall leave no issue, father, mother, brother, or sister, or children of any issue, brother or sister, all of the property, both community and separate, of the intestate shall go to the surviving husband or wife.

Third—If there be no issue, nor husband, nor wife, nor father, nor mother, then in equal shares to the brothers and sisters of the intestate, and to the children of any deceased brother or sister by right of representation.

Fourth—If the intestate shall leave no issue, nor husband, nor wife, nor father, nor mother, and no brother or sister living at his or her death, the estate shall go to the next of kin in equal degree, excepting that when there are two or more collateral kindred in equal degree, but claiming through different ancestors, those who claim through the nearest ancestors shall be preferred to those who claim through ancestors more remote; *provided, however*, if any person shall die leaving several children, or leaving one child and issue of one or more children, and any such surviving child shall die under age and not having been married, all of the estate that came to such deceased parent shall descend in equal shares to the other children of the same parent, and to the issue of any such other children who may have died, by right of representation.

Fifth—If at the death of such child, who shall die under age and not having been married, all the other children of this said parent being also dead, and any of them shall have left issue, the estate that came to such child by inheritance from his or her said parent shall descend to all the issue of the other children of the same parent, and if all the said issue are in the

same degree of kindred to said child they shall share the said estate equally; otherwise they shall take according to the right of representation. Estate of  
intestate,  
how  
distributed

Sixth—If there be no surviving husband, or wife, or kindred, except a child or children, the estate shall, if there be only one child, all go to that child; and if there be more than one child, the estate shall descend and be distributed to all the intestate's children, share and share alike.

Seventh—If there be no surviving husband, or wife, or kindred, except a child or children and the lawful issue of a child or children, the estate shall descend and be distributed to such child or children and lawful issue of such child or children by right of representation, as follows: To such child or children each a child's part, and to the lawful issue of each deceased child, by right of representation, the same part and proportion that its parent would have received in case such parent had been living at the time of the intestate's death; that is, the lawful issue of any deceased child shall receive the part and proportion that its parent would have received had such parent been living at the time of the intestate's death.

Eighth—If there be no surviving husband, or wife, or kindred, except the lawful issue of a child or children, all of the estate shall descend and be distributed to the lawful issue of such child or children by right of representation, and this rule shall apply to the lawful issue of all such children and to their lawful issue *ad infinitum*.

Ninth—If the intestate shall leave no husband, nor wife, nor kindred, the estate shall escheat to the state for the support of the common schools.

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CHAP. 131—*An Act to provide for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children, and giving county commissioners of the State of Nevada jurisdiction in such matters, and prescribing penalties for those who fraudulently obtain the benefit thereof.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. It shall be the duty of the county commissioners of each county in this state, and they are hereby empowered and authorized, to provide funds in an amount sufficient to meet the purposes and requirements of this law, for the support of women whose husbands are dead or are inmates of a penal institution or an insane asylum, or who are abandoned by their husbands, and such abandonment has continued for more than one year, or because of the total disability of their Indigent  
mothers to  
receive  
county help

husbands, and who are unable to support their children, when such women are destitute or are dependent upon their own efforts for the maintenance of their children and are mothers of children under the age of fifteen years, and such mothers and children reside in such counties in the state.

Allowance  
limited

SEC. 2. The allowance to each of such mothers shall not exceed the sum of fifteen dollars per month when she has but one child under the age of fifteen years, and if she has more than one child under the age of fifteen years, it shall not exceed the sum of fifteen dollars a month for the first child and five dollars a month for each of the other children under the age of fifteen years.

Allowance,  
conditions of

SEC. 3. Such allowance shall be made and fixed by the board of county commissioners for their respective counties upon the following conditions:

First—The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

Second—When by means of such allowance the mother will be able to maintain a home for her child or children.

Third—The mother must, in the judgment of the board of county commissioners, be a proper person, morally, physically, and mentally, for the bringing up of her children.

Fourth—No person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least one year next before the making of such application for such allowance.

When child  
reaches 15  
years of age  
allowance  
ceases

SEC. 4. Whenever any child shall reach the age of fifteen years, any allowance made to the mother of such child, for the benefit of such child, shall cease. The board of county commissioners may, in their discretion, at any time before such child reaches the age of fifteen years, discontinue or modify the allowance to any mother or for any child.

Fraud  
punished

SEC. 5. Any person procuring fraudulently any allowance for a person not entitled thereto shall be deemed guilty of a gross misdemeanor.

Order to be  
recorded

SEC. 6. In each case where an allowance is made to any woman under the provisions of this act, an order to that effect shall be entered upon the records of the board of county commissioners making such allowance. Proceedings to obtain the benefits of this act shall be instituted by the applicant for allowance by filing an application before the board of county commissioners, same being properly verified under oath.

Appeal to  
district court  
may be  
taken

SEC. 7. In each case where an allowance is made or refused to any mother under the provisions of this act by the board of county commissioners, an appeal may be taken to the district court from such decision, by the applicant or by any taxpaying citizen, and such appeal shall be subject to the rules of procedure as in the case of appeals from the justice court.

SEC. 8. The district attorney shall render all necessary

assistance to applicants under this act, and shall appear in every such proceeding, and shall carefully investigate the merits of every application, to the end that this act may be fairly administered and no person granted relief hereunder except those justly entitled thereto; and no officer of the court or county officer shall receive any fees for services rendered in carrying out the provisions of this act. A certified copy of said order shall be filed with the county auditor of the county in which such child's mother is resident, and thereupon, and thereafter, and so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw on the general fund of the county in favor of the mother for the amount specified in such order, which warrant shall be by the auditor delivered to the mother upon her executing duplicate receipts therefor, one to be retained by the auditor, and the other to be filed by the clerk with the records in the proceeding relating to such child or children. It shall be the duty of the county treasurer, and he is hereby authorized and empowered, to pay such warrant out of the general funds of the county.

Duties of  
district  
attorney

No fees

SEC. 9. All acts or parts of acts in conflict with this act are hereby repealed.

CHAP. 132—*An Act to amend an act entitled "An act fixing the salary of the justice of the peace of Goldfield Township, Esmeralda County, State of Nevada, and repealing all acts and parts of acts in conflict herewith," approved March 13, 1913.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of an act entitled "An act fixing the salary of the justice of the peace of Goldfield Township, Esmeralda County, State of Nevada, and repealing all acts and parts of acts in conflict herewith," approved March 13, 1913, is hereby amended to read as follows:

Salary  
of justice of  
peace of  
Goldfield

Section 1. From and after the approval of this act the justice of the peace of Goldfield Township, Esmeralda County, State of Nevada, shall receive in full compensation for all services and ex officio services, except that of registry agent, that may be rendered by him, the sum of one hundred and fifty (\$150) dollars per month.

\$150 per  
month

CHAP. 133—*An Act to amend section 3 of an act entitled "An act allowing the payment of taxes in equal semiannual installments and regulating the collection of taxes on personal property," approved March 16, 1897.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Personal  
property  
tax, when  
collected

SECTION 1. Section 3 of an act entitled "An act allowing the payment of taxes in equal semiannual installments and regulating the collection of taxes on personal property," approved March 16, 1897, is hereby amended to read as follows:

Proviso

Section 3. It is hereby made a specific duty of all county assessors, at the time of assessing personal property, to collect the entire amount of tax on such personal property, unless the owner thereof shall be the owner of real estate, situate within his county, sufficient, in the judgment of the county assessor, to amply secure the payment of the entire tax on both such real estate and personal property should a lien attach thereto by reason of such taxes becoming delinquent; *provided*, should such assessment be made at any time between the first day of January and the date on which the tax is levied by the board of county commissioners for any year, such collection shall be made by the assessor on the regular tax levy for the preceding year, plus ten per cent. The county assessor shall immediately turn into the county treasurer the full amount of any such collection. The county treasurer shall place ten per cent thereof in a special fund and apportion the remainder as other taxes are apportioned. The ten per cent shall remain in the special fund, unapportioned, until such time as the board of county commissioners levy the tax for the then current year, at which time, if the levy is in excess of the rate applied to such personal property for the preceding year, the amount of the tax figured at such excess shall be deducted from the special fund, apportioned as other taxes, and the balance refunded to party in interest; *provided*, if the levy for the then current year shall be less than for the preceding year, no refund, other than the total amount of the special fund, shall be made to any party in interest.

CHAP. 134—*An Act to remove the county-seat of Douglas County from Genoa to Minden, and matters properly relating thereto.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Minden to be  
county-seat  
of Douglas  
County

SECTION 1. From and after the first day of January, A. D. 1916, the county-seat of Douglas County, Nevada, shall be located and be at what is known as the town or townsite of Minden, Douglas County.



SEC. 2. The county courthouse and other necessary and required buildings shall be located and situated on a tract of ground not less than three hundred by two hundred feet; *provided*, said site is transferred and conveyed to Douglas County, free of cost, on or before June 1, 1915. Land to be donated

SEC. 3. It shall be the duty of the officers of said county, who are required to keep their offices at the county-seat, to remove the same to Minden to the courthouse and offices there furnished on the said January 1, 1916. Officers to move

SEC. 4. The county commissioners shall provide for the removal of the archives, and all other movable property belonging to said county, and now located at Genoa, to Minden. Said commissioners shall have power to sell and convey any real or immovable property situate at Genoa and belonging to Douglas County, Nevada, and shall pay the proceeds of such sale into the county treasury of said county. Provisions for removal

SEC. 5. The county commissioners of Douglas County are empowered and authorized, and it is made their duty to provide suitable buildings, offices, and rooms necessary for all county officers at Minden, and have them ready for occupancy on and after January 1, 1916. Offices, etc., to be provided

SEC. 6. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

**CHAP. 135—***An Act to amend an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, and adding another section thereto, to be numbered 375½.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. An act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, is hereby amended by adding another section thereto, to be known as section 375½, which section reads as follows:

Section 375½. It shall be unlawful for any person to have in his possession any hide of any cow, bull, steer, calf, or heifer, from which hide the ears have been removed or the brand cut out or removed, or the brand obliterated, defaced, or disfigured so that the same cannot be readily recognized, and any person having such hide in his possession shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for any term not less than one year nor more than five years. Hides of beeves must be preserved intact



**CHAP. 136—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of conducting such hotels, providing for the enforcement of this act, and providing a penalty for the violation thereof.**

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** Every building or structure, kept as, used as, maintained as, or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the transient public, whether with or without meals, shall, for the purpose of this act, be deemed to be a hotel, and whenever the word "hotel" shall occur in this act, it shall be deemed to include lodging-house and rooming-house, where transient trade is solicited.

Hotels, etc.,  
must be kept  
sanitary

**SEC. 2.** All bedding, bedclothes, or bed covering, including mattresses, quilts, blankets, sheets, pillows, or comforters used in any hotel in this state must be kept clean and free from all filth or dirt; *provided*, that no bedding, bedclothes, or bed covering, including mattresses, quilts, blankets, sheets, pillows, or comforters, shall be used which is worn out or unsanitary for use by human beings according to the true intent and meaning of this act.

All bedding  
must be  
kept clean

**SEC. 3.** Any room in any hotel in this state, which is or shall be infested with vermin or bedbugs or similar things, shall be thoroughly fumigated, disinfected, and renovated until such vermin or bedbugs or other similar things are entirely exterminated.

Bedbugs,  
etc.,  
inhibited

**SEC. 4.** Every room in any hotel in this state used for sleeping purposes, must be free from any and every kind of dirt or filth of whatsoever nature, and the walls, floors, ceiling, and doors of every such room shall be kept free from dirt.

Rooms must  
be free  
from dirt

**SEC. 5.** Every room in any hotel, used for sleeping purposes, shall have devices, such as a window or transom, so constructed, as to allow for the proper and a sufficient amount of ventilation in each such room.

Ventilation

**SEC. 6.** Every bed, for the accommodation of any person or persons or guests, kept or used in any hotel in this state, must be provided with a sufficient supply of clean bedding and must be provided with sheets at least ninety-eight (98) inches long and of sufficient width to completely cover the mattress and spring, and pillow slips as often as assigned to a different person.

Sheets of  
certain size

**SEC. 7.** Whenever any room in any hotel shall have been occupied by any person having a contagious or infectious disease, the said room shall be thoroughly fumigated under the direction of the health officer, his authorized deputy or deputies, or any agent provided for by this act, and all bedding therein thoroughly disinfected before said room shall be occupied by any other person; but, in any event, such room shall not be

Infected  
room  
must be  
fumigated

let to any person for at least forty-eight (48) hours after such fumigation or disinfection.

SEC. 8. Every hotel, within this state, having a public wash-stand or washbowl, where different persons gather to wash themselves, must keep a sufficient supply of clean individual towels for the use of such persons within easy access of or to such persons and in plain sight and view. Nothing in this section shall be construed as excluding the use of crepe or paper towels, or the automatic roller towel. Towels must be provided

SEC. 9. Every hotel in this state shall have proper facilities for sewage disposal and shall be kept free from effluvia arising from any sewer, drain, privy, cesspool, or other source within the control of the proprietor, owner, manager, agent, or other person in charge. Any water-closet, privy, or cesspool in connection with any hotel shall be disinfected as often as may be necessary to keep them at all times in a sanitary condition. Disinfection of sewers, etc.

SEC. 10. Every proprietor, owner, manager, lessee, or other person in charge of any hotel in this state who shall fail to comply with this act, whether through the acts of himself, his agent or employees, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars or more than one hundred dollars, or shall be imprisoned for not more than three months, and every day that any hotel shall be kept in violation of any of the provisions of this act such keeping shall constitute a separate offense. Penalty

SEC. 11. The commissioner of food and drugs is hereby charged with the enforcement of this act. He shall appoint such agent or agents as he deems necessary to carry out the provisions of this act and shall make uniform rules and regulations pertaining thereto. He shall keep a record of hotels inspected, and said record or any part thereof may, in the discretion of the commissioner, be included in the annual report to the governor, which said commissioner is already authorized to make by law. Food and drug commissioner to enforce this act

SEC. 12. The commissioner of food and drugs, or his duly authorized agent or agents, shall have access at any time to any hotel in this state for the purpose of making inspections and carrying out the provisions of this act. Inspection at any time

SEC. 13. This act shall be in full force and effect on and after January 1, 1916. In effect

CHAP. 137—*An Act to provide for submitting local and special legislation for approval by the qualified electors of any county of the State of Nevada in accordance with the referendum provisions of the constitution.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Whenever 10 per centum or more of the voters of any county of this state, as shown by the number of votes

**Referendum vote for counties in regard to special legislation** cast at the last preceding general election for county recorder, shall express their wish that any law or resolution made by the legislature, and pertaining to such county only, be submitted to the vote of the people; they shall file with the county clerk of said county, not less than four months before the time set for such election, a petition, which petition shall contain the names and residences of at least 10 per centum of the voters of such county, demanding that a referendum vote be had by the people of said county at the next general election or at any election called for such purpose, upon the question of any law or resolution made by the legislature, and pertaining to such county only, on which the referendum is demanded.

**Petition—10 per cent of voters**

**Requirements of petition** SEC. 2. The names of the electors so petitioning need not be all upon one petition, but may be contained on one or more petitions; but said petition must be verified by at least one of the voters who has signed such petition, and such voter making such verification must swear that the persons signing said petition are qualified voters of said county and state, and that such signatures are genuine and were executed in his or her presence.

**Duties of county clerk** SEC. 3. That upon receipt of said petition by the county clerk he shall file the same and at the next general election, or at the election called for such purpose, shall submit the question of the approval or disapproval of said law or resolution made by the legislature, and pertaining to such county only, to the people of such county to be voted upon at the next ensuing general election, or at the election called for such purpose, and the county clerk shall publish such question of law or resolution, in accordance with the provisions of law requiring the several county clerks in this state to publish questions and constitutional amendments which are to be submitted for popular vote.

**Question on ballot** SEC. 4. The subject-matter of such question of law or resolution made by the legislature, and pertaining to such county only, shall be concisely stated on the ballot, and the question printed upon the ballot for the information of the voter shall be as follows:

**Form of question** Shall the act (setting out the title thereof) be approved? { Yes--  
No --

The votes cast upon such question shall be counted and canvassed as the votes for county officers are counted and canvassed.

**Majority vote confirms such law or resolution** SEC. 5. When a majority of the electors of such county voting upon the question submitted shall by their vote signify approval of such law or resolution, such law or resolution shall stand as the law of the state, and shall not be overruled, annulled, set aside, or in any way made inoperative, except by direct vote of such county. When a majority of the electors of such county shall so signify disapproval, the law or resolution so disapproved shall be void and of no effect.

SEC. 6. After the filing of a referendum petition with the

county clerk as herein provided, upon petition to the county commissioners of such county so to do, signed by 40 per centum of the qualified electors of such county, as shown by the number of votes cast at the last preceding general election for county recorder, duly verified as provided herein, the board of county commissioners shall call a special election for the purpose of submitting such question to the electors of such county to be held within forty days after the petition requesting a special election shall have been filed with said board.

Petition of 40 per cent of voters calls special election

CHAP. 138—*An Act authorizing the attorney-general of the State of Nevada, with the consent of the governor of Nevada, to commence and maintain certain actions in the supreme court of the United States, or in any court having jurisdiction thereof.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The attorney-general of the State of Nevada, with the consent of the governor, is hereby authorized to commence and maintain, or defend, in the supreme court of the United States, or in any court having jurisdiction of the action, in the name of the State of Nevada, or otherwise, such proceedings at law or in equity as in his judgment may be necessary or expedient for the purpose of establishing and determining the rights of the State of Nevada, or the residents thereof, in and to the waters of all interstate streams located partly in the State of Nevada, where such waters, or part thereof, are claimed by any other state or the citizens thereof.

Attorney-general to maintain certain water suits in name of state

SEC. 2. The attorney-general of the State of Nevada, in the name of the state, is likewise authorized to intervene in any action or proceeding at law or in equity, which may now or hereafter be pending, when it is necessary or incident for the purpose of establishing and determining the rights of the State of Nevada or the residents thereof in and to the waters of all interstate streams located partly in Nevada, where such waters or a part thereof are claimed by any other state or the citizens thereof; *provided, however*, that the attorney-general shall not obligate the state in any intervention for any costs or expenses.

May intervene when

**CHAP. 139—***An Act to authorize the board of school trustees of Winnemucca school district No. 7, Humboldt County, State of Nevada, to issue bonds for the purpose of purchasing a site for a school building in the town of Winnemucca, and for constructing a school building on the said site, or for purchasing any school building now situated on said site, and for equipping and furnishing said building, and other matters properly connected therewith.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Bonds for  
grade school  
building for  
Winnemucca

**SECTION 1.** The board of school trustees of Winnemucca school district No. 7, county of Humboldt, State of Nevada, is hereby authorized, empowered, and directed to prepare and issue bonds of said school district for an amount not to exceed the sum of twenty thousand (\$20,000) dollars, exclusive of interest, for the purpose of providing funds for the purchase of a site for a school building in the town of Winnemucca, and for constructing a school building on the said site, or purchasing any school building now situated thereon, and for equipping and furnishing the said building.

Denomina-  
tion of bonds

Interest  
limited

**SEC. 2.** The bonds authorized under the provisions of section 1 of this act shall be issued in the sum of five hundred (\$500) dollars each, and shall bear interest at a rate not to exceed six per cent (6%) per annum, and shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin. Said bonds shall be numbered consecutively from 1 to 40, inclusive, and shall be signed by the president and clerk of the said board of school trustees, and countersigned by the treasurer of Humboldt County. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered and signed by the president and clerk of said board of school trustees and by the county treasurer.

Negotiation  
of bonds

Sealed bids

**SEC. 3.** The board of school trustees of said Winnemucca school district No. 7 are hereby authorized to negotiate the sale of said bonds by causing a notice of the sale of said bonds to be published once a week for three consecutive weeks in a newspaper published in said district, inviting sealed bids for the purchase of said bonds, and at the date fixed in the notices of said sale the said board may sell said bonds to the highest and best bidder for cash. If no bids therefor are received, then the said board of school trustees may sell the said bonds at private sale; *provided*, that in no case shall the said bonds be sold for less than their par value.

**SEC. 4.** All moneys received from the sale of said bonds shall be paid to the county treasurer of Humboldt County and

the said county treasurer is hereby required to receive and safely keep the same in a fund to be known as the "Winnemucca School District No. 7 Grade Building Fund," and to pay out said moneys only on warrants of the county auditor issued upon order of the school trustees, and with the restrictions imposed by law on the treasurer in paying out county school moneys. The county treasurer shall be liable on his official bond for the safe keeping of such moneys that shall come into his charge. The school board of trustees is hereby authorized and directed to use the said moneys arising from the sale of said bonds, or such amount as may be necessary, to purchase a site for a school building in the town of Winnemucca, and to erect, construct, equip, and furnish a school building on said site, or for the purchase of any building now situated on said site, and to equip and furnish the same.

"Winnemucca School District No. 7 Grade Building Fund"

SEC. 5. Said board shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made said board shall advertise for bids for the construction of the said building and let the construction thereof in a contract to the lowest and most responsible bidder. The laws now in force governing the letting of contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of school trustees in carrying out the provisions of this act; *provided*, that no contract shall be let nor bills for construction be paid until the plans and specifications for the said building shall have been approved by the superintendent of public instruction.

Trustees to determine character of building

SEC. 6. For the purpose of creating a fund for the payment of said bonds and the interest thereon, as authorized by this act, the board of county commissioners of Humboldt County is hereby authorized and required, at the time of making the annual levy of taxes for state and county purposes for the year 1915, and annually thereafter, to levy a sufficient tax on all property, both real and personal, including the proceeds of mines, within the boundaries of said school district, to redeem two of said bonds each year, and the payment each year of the accumulated interest on all the bonds authorized by this act. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the county treasury and set apart as a fund, which is hereby created, to be known as the "Winnemucca School District No. 7 Grade Bond Redemption and Interest Fund."

Tax for payment of bonds and interest

SEC. 7. On the first Monday in July, 1916, and every year thereafter, two of said bonds, together with interest thereon and the accumulated interest on all the unredeemed bonds, shall be paid. The payment and redemption of said bonds shall be in order of issuance, the lowest numbered bond to be paid first and redeemed, and so on, until the whole amount of said bonds issued under the provisions of this act shall have

Redemption of bonds



been paid and redeemed. Coupons shall be paid annually, and in no case shall any of said bonds run for a longer period than twenty years.

Interest  
ceases, when

SEC. 8. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall immediately cease.

Duties of  
county  
treasurer

SEC. 9. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act he shall cancel the same by writing across the face thereof "Paid," together with the date, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid. All bonds authorized under the provisions of this act shall be payable at the office of the county treasurer of Humboldt County, Nevada.

Tax ceases,  
when

SEC. 10. Whenever the bonds and interest provided by this act shall have been fully paid, the taxes authorized by this act shall cease, and all money remaining in the fund shall be transferred to the county school fund of Winnemucca school district No. 7.

Faith of  
state pledged

SEC. 11. The faith of the State of Nevada is hereby pledged that this act shall not be repealed until all the bonds issued under and by virtue hereof shall have been paid in full, as by this act specified.

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CHAP. 140—*An Act granting a franchise to H. C. Christensen and H. R. Lemaire, their heirs and assigns, to construct, maintain and operate a plant and distributing system for generating electricity, or electrical or other power, and distributing the same, and to construct, maintain, and operate an electric-light, heat, and power line, and a telephone line in connection therewith, in Lander County.*

[Approved March 15, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Franchise  
for electric  
plant at  
Battle  
Mountain  
granted  
H. C. Chris-  
tensen and  
H. R.  
Lemaire

SECTION 1. The right to locate, construct, maintain, and operate a plant and distributing system at Battle Mountain, in Lander County, State of Nevada, for generating electricity, or electrical or other power, and distributing the same, and the right to locate, construct, maintain, and operate an electric line or lines for the transmission of electricity for lighting, heating, and power purposes, and a telephone line in connection therewith, together with a right of way therefor, over and along such route or routes, in Lander County, as may be deemed most feasible and advantageous, for a period of twenty-five years, is hereby granted to H. C. Christensen and H. R. Lemaire, their heirs and assigns, together with the right and franchise



to build, construct, and maintain said line or lines, along, across, and under any of the public roads and highways, streets, and alleys of said county and town; *provided*, that said line or lines shall be so constructed and maintained along, across, and under such roads and highways, streets and alleys, as not to obstruct the natural and proper use of such highways, roads, streets, and alleys; *and provided further*, that at any time any person who may be engaged in the removal of houses or buildings and desires the lines of the owners of said franchise removed so they can pass the said houses or buildings under said lines, upon giving reasonable notice to said owners, they shall so arrange the wires of said line or lines so as to allow the passage of said houses or buildings thereunder.

SEC. 2. The construction of said plant, distributing system, and line or lines shall be commenced within one year from the passage of this act, and completed with all reasonable diligence, act of God or public enemy excepted.

Proviso

Must be begun within one year

CHAP. 141—*An Act to amend an act entitled "An act to amend section seven of an act entitled an act to redistrict the State of Nevada, prescribe the number and salaries of district judges, and fix the places of holding courts," approved March 5, 1907, the same being section 4907 of the Revised Laws of Nevada, 1912.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 7 of said act is hereby amended to read as follows:

Section 7. In addition to the salary provided by law, each district judge shall be entitled to receive his necessary expenses in going to and returning from the place of holding court, his traveling expenses when traveling by private conveyance to be estimated at the usual amounts charged by public conveyance, and also his necessary expenses at the place of holding court when holding court in any county other than that of his residence, said expenses to be allowed and paid as other claims against the state, but in no case shall such expenses exceed the amount of one thousand (\$1,000) dollars per annum for each judge; *provided*, that in all judicial districts of the State of Nevada comprising more than two counties the district judge or judges thereof shall, in addition to the salary provided by law, be entitled to and shall receive the sum of two thousand (\$2,000) dollars per annum, which said sum shall be in full for all his or their expenses in going to and returning from the place of holding court, his or their traveling expenses when traveling by public or private conveyance, and

District judges of districts comprising more than one county allowed additional expense money

also his or their expenses at the place of holding court when holding court in any county other than that of his or their residence, which said sum of two thousand (\$2,000) dollars shall be paid as other claims against the state and in twelve equal monthly installments.

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CHAP. 142—*An Act supplemental to and to amend an act entitled "An act to regulate proceedings in civil cases in this state and to repeal all acts in relation thereto," approved March 17, 1911.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Regarding  
bill of  
exceptions

SECTION 1. Any party to an action or special proceeding may, after the filing of the complaint, and before trial, object and except to any ruling, decision, or order made in such action or special proceeding, and, within ten (10) days after such objection and exception, serve and file a bill of exceptions thereto, which bill of exceptions shall be settled and allowed by the judge or court, or by stipulation of the parties, by attaching thereto or inserting therein a certificate to the effect that such bill of exceptions is correct and has been settled and allowed; and when such bill of exceptions has been so settled and allowed, it shall be and become a part of the record of such action or special proceeding.

Exceptions,  
how taken

SEC. 2. Any party to an action or special proceeding from the time said action or proceeding is called for trial, and until including final judgment has been entered therein, may object and except to any ruling, decision, or order of the court or judge made therein, and, within twenty (20) days after such objection and exception, serve and file a bill of exceptions to such ruling, decision, or action of the court, which bill of exceptions shall be settled and allowed by the judge or court, or by stipulation of the parties, as in the preceding section provided, and when so settled and allowed shall be and become a part of the record of said action or proceeding.

Objections to  
allowance of  
bill of  
exceptions,  
how made

SEC. 3. Any adverse party may object to the allowance and settlement of any bill of exceptions herein provided for within five (5) days after the service of the same, by serving upon the opposite party and filing in said court a statement specifically pointing out wherein said bill does not state the true facts, or wherein the same omits any material fact necessary to explain or make clear any ruling, decision, or action of the court. Such objection shall be heard and determined by the court within five (5) days thereafter, and upon such hearing the court shall designate in what respect said bill is incorrect or untrue, or fails or omits to state the true facts, and shall order

and direct that such bill be corrected in accordance with said determination, and engrossed so as to contain the true facts as herein required, and when so engrossed said bill shall be allowed and settled as in this act provided, and when so settled shall become and be a part of the record of said action. If the objections of the adverse party are disallowed, then such bill as originally filed shall be immediately settled and allowed as by this act required.

SEC. 4. All bills of exceptions required by the provisions hereof shall be typewritten, paged, and the lines of each page numbered; and where more than one bill of exception is filed in the same action or proceeding each bill shall be consecutively numbered. The service of all bills of exception and objections thereto shall be by copy.

All must be typewritten, paged, etc.

SEC. 5. In all cases where an official reporter is appointed by the court, under authority of law, or by agreement of the parties, a transcription of the shorthand report of the proceedings in any action or special proceeding, when certified by said reporter to be a full, true, and correct transcription of such proceedings, may, at the option of any party, be submitted to the court for allowance and settlement, as the bill of exceptions required under the provisions of this act, and the court or judge shall thereupon attach the certificate as herein provided, whereupon such bill of exceptions shall be and become a part of the record.

Shorthand report, how certified

SEC. 6. Bills of exception to any action, decision, ruling, or order of the court, after final judgment, shall be prepared, served, allowed, and settled in the manner and within the time specified in section 1 of this act.

Service of bill of exceptions

SEC. 7. Bills of exceptions provided for by section 2 of this act may be prepared, served, and filed within twenty (20) days after a motion for a new trial has been determined by the court, and all errors relied upon which may have occurred at the trial, or which may be alleged against the findings, or exceptions to the findings as made, and all errors based upon any ground for a new trial, may be included therein, and all such errors may be reviewed by the supreme court on appeal from the judgment or order denying the motion for a new trial.

Same

SEC. 8. When the action, decision, ruling, or order excepted to was made by a referee or any judicial officer other than a judge, the bill of exceptions shall be filed, served, and presented to said referee or judicial officer, and be settled, allowed, and certified by him in the same manner and within the same time as other bills of exception are required to be presented to, settled, and certified by the judge or court. A judge, referee, or judicial officer may settle, allow, and certify to a bill of exceptions after he ceases to be such judge, referee, or judicial officer, and if such judge, referee, or judicial officer, before the bill of exceptions is settled, dies, is removed from office, becomes disqualified, is absent from the state, or refuses to settle and

How settled

allow any bill, or if no method is provided by law for the settlement of the same, it shall be settled and certified in such manner as the supreme court may by its order or rules direct.

Rights  
waived,  
when

SEC. 9. If a party shall omit or fail to serve and file his bill of exceptions within the time limited he shall be deemed to have waived his right thereto, and if a party shall omit to make objections as required to such bill of exceptions within the time limited he shall be deemed to have waived his right thereto.

Time may be  
enlarged

SEC. 10. The several periods of time above specified may be enlarged, upon good cause, by the court, judge, referee, or judicial officer, or by stipulation of the parties.

Bill of  
exceptions  
annexed to  
judgment  
roll

SEC. 11. The original bills of exceptions herein provided for, together with a notice of appeal and the undertaking on appeal, shall be annexed to a copy of the judgment roll, certified by the clerk or by the parties, if the appeal be from the judgment; if the appeal be from an order, such original bill shall be annexed to such order, and the same shall be and become the record on appeal when filed in the supreme court. A party may appeal upon the judgment roll alone, in which case only such errors can be considered as appear upon the face of the judgment roll.

Last section  
not to apply,  
when

SEC. 12. The provisions of the last preceding section shall not apply to appeals taken from an order made upon affidavits, but certified copy of such affidavits and counter-affidavits, if any, shall be annexed to the order in place of the bill of exceptions mentioned in the last section.

Time for  
serving  
assignment  
of errors

SEC. 13. Within twenty (20) days after any appeal has been taken from any order or judgment, the party or parties appealing shall serve the adverse parties and file with the clerk of the supreme court an assignment of errors, which assignment shall designate generally each separate error, specifying the page and lines of the record wherein the same may be found. Any error not assigned shall not be considered by the supreme court. If the party fails to file such assignment within the time limited no error shall be considered by the supreme court. The assignment of errors herein provided for shall be typewritten, paged, and the lines numbered, and the appellant shall furnish three copies thereof for filing in the supreme court.

Original  
exhibits sent  
up, when

SEC. 14. Where it is not practicable to embody an exhibit in the bill of exceptions, then the original exhibit, certified to by the clerk or by the parties, may be sent to the supreme court, together with the record as hereinabove specified, and such original exhibits shall be and become a part of the record upon appeal in said court.

Certain  
sections  
repealed

SEC. 15. Sections 389, 390, 391, 392, 393, 394, 395, 396, and 397 of the above-entitled act, and all provisions of law in conflict herewith, are hereby repealed; but nothing contained herein shall affect or invalidate any proceedings already had in any action or special proceeding now pending, but said

action or proceeding may be finally heard and determined upon the record made under the existing law.

CHAP. 143—*An Act to amend sections 4 and 8 of an act entitled "An act concerning juries," approved March 5, 1873, and as amended and approved March 14, 1879, and February 8, 1881, being sections 4930 and 4931 of the Revised Laws of Nevada, 1912.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 4 of the above-entitled act is hereby amended so as to read as follows:

Section 4. To constitute the regular panel of trial jurors for any term of the district court such number of names as the judge may direct shall be drawn from the jury-box. The regular panel of trial jurors may be drawn before the commencement of the term of court, and, if so drawn, the judge thereof must make and file with the county clerk an order that one be drawn, and the number of jurors to be drawn must be named in the order. The drawing shall take place in the office of the county clerk, during regular office hours, in the presence of all persons who may choose to witness it. If the panel be drawn before the commencement of the term it shall be drawn by the judge and clerk, or, if the judge so directs, by any one of the county commissioners of the county and the clerk, and if the judge directs that the panel be drawn by one of the county commissioners of the county and the clerk, the judge must make and file with the clerk an order designating the name of such county commissioner, and fixing the number of names to be drawn as trial jurors and the time at which the persons whose names are so drawn shall be required to attend in court. The drawing shall be conducted as follows:

How panel  
of trial  
jurors,  
constituted

The number to be drawn having been previously determined by the judge, the box containing the names of the jurors shall first be thoroughly shaken; it shall then be opened and the judge and clerk, or one of the county commissioners of the county and the clerk, if the judge has so ordered, shall alternately draw therefrom one ballot until of nonexempt jurors the number determined upon is obtained; *provided*, that if the officers drawing such jury deem that the attendance of any juror whose name is so drawn cannot be conveniently and cheaply to the county obtained, by reason of the distance of the residence of such juror from the court or other cause, his name may, in the discretion of such officers, be returned to the box and in its place the name of another juror drawn whose attendance said officers may deem can be conveniently and

Manner of  
drawing  
names

## Summons

cheaply to the county obtained. A list of the names so obtained shall be made out and certified by the officers drawing the jury, which list shall remain in the clerk's office subject to inspection by any officer or attorney of the court, and the clerk shall immediately issue a venire. Any person named in such venire who resides elsewhere than at the place at which the court is held, shall be served by the sheriff mailing a summons to such person, commanding him to attend as a juror at a time and place designated therein, which summons shall be registered and deposited in the postoffice, addressed to such person, at his usual postoffice address. And the receipt of the person so addressed for such registered summons shall be regarded as personal service of such summons upon such person, and no mileage shall be allowed for the service of such person. The postage and registry fee shall be paid by the sheriff and allowed him as other claims against the county, and the sheriff shall make return of the venire at least the day before the day named for their appearance, after which the venire shall be subject to inspection by any officer or attorney of the court.

SEC. 2. Section 8 of the above-entitled act is hereby amended so as to read as follows:

Judge and  
one county  
commis-  
sioner to  
select grand  
jury; proviso

Section 8. It shall be the duty of the district judge and any one of the county commissioners of the county, at least once in each year and as much oftener as the public interest may require, to select from the jury-list twenty-four persons who shall be summoned to appear as grand jurors at such time as the judge may order; *provided*, that if the district judge deems proper he may direct any one of the county commissioners of the county and the clerk to select the grand jurors, and such county commissioner and clerk, if the judge so directs, shall select from the jury-list twenty-four persons as grand jurors. If the judge directs the grand jurors to be selected by one of the county commissioners of the county and the clerk, the judge must make and file with the clerk an order designating the name of such county commissioner, and the judge shall in said order fix the time during the term of court when said grand jurors shall be required to appear; and if from any cause such county commissioner and clerk should fail to select the grand jurors, the judge and any one of the county commissioners may, at any time, select the same. A list of the names so selected as grand jurors shall be made out and certified by the officers making such selection and be filed in the clerk's office, and the clerk shall immediately issue a venire, directed to the sheriff of the county, commanding him to summon the persons so drawn as grand jurors to attend in court at such time as the judge may have directed; and the sheriff shall summon such grand jurors, and out of the number so summoned the court shall select seventeen persons to constitute the grand jury. If from any cause a sufficient number do not appear, or those who appear are excused or discharged,

Clerk to  
issue venire



an additional number, sufficient to complete the grand jury, shall be selected from the jury-list by the judge and clerk and summoned to appear in court at such time as the court may direct. Any person named in such venire, who resides elsewhere than at the place at which the court is held, shall be served by the sheriff mailing a summons to such person commanding him to attend as a juror at a time and place designated therein, which summons shall be registered and deposited in the postoffice, addressed to such person at his usual postoffice address. And the receipt of the person so addressed for such registered summons shall be regarded as personal service of such summons upon such person and no mileage shall be allowed for the service of such person. The postage and registry fee shall be paid by the sheriff and allowed him as other claims against the county.

Service may  
be made by  
mail

SEC. 3. All acts and parts of acts in so far only as they conflict with the provisions of this act are hereby repealed.

CHAP. 144—*An Act to authorize the board of county commissioners of White Pine County, State of Nevada, to issue bonds for the purpose of building and furnishing a schoolhouse in Preston school district, and matters properly relating thereto.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of White Pine County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, such bonds to be issued on or before the first day of February, 1916, for an amount not to exceed the sum of three thousand (\$3,000) dollars, exclusive of interest, for the purpose of providing funds for the construction of a schoolhouse in the town of Preston in said county (upon a site to be chosen by the board of school trustees of Preston school district), and for equipping and furnishing said building.

Bonds for  
schoolhouse  
in Preston

SEC. 2. The board of county commissioners of said White Pine County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Description  
of bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of

Record to be  
kept

this act, showing the number and date of each bond and to whom issued.

Negotiation  
of bonds

SEC. 4. The board of county commissioners of White Pine County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Denomina-  
tion of bonds

SEC. 5. Said bonds shall be each for the sum of three hundred (\$300) dollars. They shall be numbered consecutively from one to ten, and the interest on the same shall not exceed six per cent per annum payable annually on the first Monday in July of each year, at the office of the county treasurer of said White Pine County, and shall be redeemable at the rate of one each year.

"Preston  
School  
District  
Fund"

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Preston School District Fund," and to pay out said moneys only in the manner now provided by law and for the purposes for which the same were received.

Trustees to  
construct  
and equip  
schoolhouse

SEC. 7. The board of trustees of Preston school district is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the construction, equipment, and furnishing of a school building in the Preston school district, and any balance remaining in said fund, after the completion, equipment, and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining said school, in accordance with and pursuant to the provisions of law pertaining to the establishment of schools in the various counties of this state.

Trustees to  
award  
contract

SEC. 8. Said board of trustees of Preston school district shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made, said board shall advertise for bids for the construction of said school building, and let the construction thereof by contract to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of trustees of Preston school district in carrying out the provisions of this act. All demands and bills contracted by said board of trustees shall be paid in the manner now provided by law; *provided*, that no such bills shall be allowed until the plans for said school building shall have been approved by the state superintendent of public instruction.

Proviso

SEC. 9. As soon as possible after the passage and approval of this act, or after this act shall become a law, the board of trustees of Preston school district shall proceed to select an appropriate site for said school building in the town of Preston, in said county, and the board of trustees of said county shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act. To select site

SEC. 10. The county treasurer of said White Pine County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto. Treasurer responsible

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said White Pine County is hereby authorized and required to levy and collect annually a special tax upon the assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines within the boundaries of said Preston school district, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, one of said bonds annually beginning on the first Monday in July, 1916, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Preston School District Fund"; *provided, however*, that if the amount of the tax levied upon the property within said Preston school district shall at any time be insufficient to pay the interest on said bonds and provide for the retirement as provided in this section, the board of county commissioners of said White Pine County are hereby required to levy and collect annually a special tax on the assessment valuation of all property, real and personal, subject to taxation, including the proceeds of mines within the boundaries of said White Pine County, and continue such levy from year to year to meet any deficit which may occur in said Preston school district fund, and the faith and credit of White Pine County is hereby pledged to the prompt and ready payment of said bonds and the interest thereon according to the terms, conditions, and tenor thereof. Special tax in district

SEC. 12. It shall be obligatory on the said county and on its proper officers to pay in full the accrued interest on said bonds, beginning on the first day of July, 1916, and thereafter on the first day of July in each and every year, until all of said bonds shall have been redeemed and retired. Special tax in county, when

SEC. 13. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund Interest must be paid

Tax to cease, when

shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of said Preston school district.

Redemption  
of bonds

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Interest  
ceases, when

SEC. 15. Should the holder of said bonds or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment, when they become due, all interest on said bonds shall thereafter immediately cease.

Faith of  
state  
pledged

SEC. 16. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

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CHAP. 145—*An Act to amend section three of an act entitled "An act regulating the manner of drawing juries in the district courts of this state," approved February 20, 1885.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section three of the above-entitled act is hereby amended to read as follows:

Juror failing  
to appear,  
name drawn  
again

Section 3. When a juror drawn is not summoned or fails to appear, or after appearing is excused by the judge from serving, his name shall be returned to the box to be drawn again. The board of commissioners shall not select the name of any person whose name was selected the previous year, and who actually served on the jury by attending in court in response to the venire from day to day until excused from further attendance by order of the court, unless there be not enough other suitable jurors in the county to do the required jury duty.

Certain  
exemptions

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CHAP. 146—*An Act to regulate the fees of the county clerk of Humboldt County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The county clerk of Humboldt County, State of Nevada, as county clerk and ex officio clerk of the district court of the Sixth judicial district of the State of Nevada, in and for Humboldt County, shall, from and after the passage of this act, charge and collect the following fees in civil, probate, and guardianship proceedings; *provided*, that said clerk shall neither charge nor collect, any fees for services by him rendered to the State of Nevada, or to the county of Humboldt:

Fees of  
clerk of  
Humboldt  
County

On the commencement of any action or proceedings in the district court, except probate proceedings, to be paid by the party commencing such action or proceeding, seven dollars; said fee to be paid in addition to the court fee of three dollars now provided by law.

On an appeal to the district court, to be paid by the party taking such appeal, seven dollars; said fee to be paid in addition to the court fee of one dollar now provided by law.

Fees  
specified

On the appearance of any defendant, or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by him or them, five dollars.

For every additional defendant, or intervener, appearing separately, two dollars and fifty cents.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to and including the making of the judgment roll.

On the filing of a petition for letters testamentary, or of administration, or guardianship, eight dollars and fifty cents, to be paid by the petitioner; *provided*, that at the time of filing the inventory and appraisement in any such proceedings there shall be an additional deposit of fifty cents for each additional one thousand dollars of the appraised value in excess of two thousand dollars; said fee to be paid in addition to the court fee of one dollar and fifty cents now provided for by law.

On filing a petition to contest any will or codicil, five dollars, to be paid by the petitioner.

On the filing of any notice of motion to move for a new trial of any civil action or proceeding, the party filing same shall pay to the clerk in full for all services to be rendered in connection with said motion, two dollars and fifty cents.

No fee shall be charged by the clerk for any services rendered in any criminal case. In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees

and charges as were provided by law at the time such action or proceeding was begun or act performed.

Repeal

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

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CHAP. 147—*An Act to amend section 1 of an act entitled "An act supplementary to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and repealing certain acts relating thereto,' approved March 23, 1891," approved April 1, 1913.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Mortgage  
deemed  
interest in  
real or  
personal  
property

SECTION 1. Section 1 of an act entitled "An act supplementary to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and repealing certain acts relating thereto,' approved March 23, 1891," approved April 1, 1913, is hereby amended to read as follows:

Section 1. A mortgage, deed of trust, contract, or other obligation by which a debt is secured and which is a lien or incumbrance on real or personal property shall, for the purposes of assessment and taxation, be deemed, considered, and treated as an interest in said real or personal property thereby affected, except as to railroads and other quasi-public corporations, and the several assessors, in their respective counties in the state shall, in assessing and fixing the value of the real or personal property affected by any such mortgage or other instrument herein mentioned, treat, consider, and deem such instrument as an interest in the real or personal property, and the assessment of the real or personal property affected thereby for the purpose of taxation shall be deemed and taken as the assessment of such mortgage or other instrument; *provided*, that in no case shall the valuation for taxation fixed exceed the value of said property.

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Proviso

CHAP. 148—*An Act to amend section 2 of an act entitled "An act regulating the assessment and taxation of banks, and of the shares of stock therein," approved March 20, 1907.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of an act entitled "An act regulating the assessment and taxation of banks and of the shares of stock therein," approved March 20, 1907, is hereby amended to read as follows:

Section 2. All shares of stock in banks, whether of issue or



not, existing by authority of the United States, or of the State of Nevada, or of any other state, territory, or foreign government, and located within the State of Nevada, shall be assessed to the owners thereof in the county, city, town, or district where such banks are located, and not elsewhere, in the assessment of all state, county, town, or special taxes, imposed and levied in such place, whether such owner is a resident of said county, city, town, or district, or not. All such shares shall be assessed at their full cash value on the first day of May, first deducting therefrom the proportionate value of the real estate belonging to the bank and the amount or value of such mortgages or trust deeds owned by the bank and on which the bank has paid the taxes or authorized the assessment thereof in its name, at the same rate and no greater than that at which other moneyed capital in the hands of citizens and subject to taxation is by law assessed. And the persons or corporations who appear from the records of the banks to be the owners of shares at the close of the business day next preceding the first day of May in each year shall be taken and deemed to be the owners thereof for the purposes of this section.

Shares of  
bank stock  
assessed at  
full cash  
value

Who  
deemed  
owners

CHAP. 149—*An Act to provide for the union of certain school districts for the purpose of securing instruction in manual training and domestic science, and matters properly related thereto.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any group of not to exceed six school districts in the state may form an industrial school union for the purpose of giving instruction in manual training or domestic science, or both manual training and domestic science. Such industrial school union shall be organized in the following manner: Whenever each of the boards of trustees of any number of school districts not exceeding six shall certify to the county commissioners of any county that by a resolution passed at a regularly called meeting of such board it was ordered that the school district become a part of ----- industrial school union, it shall be the duty of the county commissioners to designate such districts as constituting the ----- industrial school union. If the trustees of more than six such school districts shall certify to the commissioners that they desire to join such industrial school union, the county commissioners shall decide which six districts of those applying shall constitute the industrial school union.

Industrial  
school union,  
how formed

SEC. 2. Whenever any industrial school union shall be thus organized by the county commissioners, the board of trustees of each of the districts constituting such industrial school union shall elect one of its members to become a member of the board

Directors of  
said school  
union

of directors of the industrial school union, and the board of directors thus constituted shall have power, and it shall be their duty:

Powers and  
duties of  
directors

1. To meet at some place agreed upon by a majority of the board of directors on the second Saturday following the organization of the industrial school union by the county commissioners, at which meeting they shall elect a president and secretary of the board, and adopt such rules of procedure as they shall deem necessary.

2. To designate a time at which they will elect a teacher of manual training and domestic science for the industrial school union, and determine the salary to be paid.

3. To determine the amount of money each district constituting the industrial school union shall raise and contribute toward the salary of the manual training and domestic science teacher. The amounts to be raised by such districts shall be proportional to the property valuations of the several districts constituting the industrial school union.

4. To certify to the county commissioners the amount of money to be raised by each of the districts constituting the industrial school union, and it shall be the duty of the county commissioners to levy and cause to be collected in each of the districts constituting the industrial school union a special tax sufficient to raise the amount of money determined by the board of directors as the necessary amount to be raised by such district. Such taxes shall be levied, equalized, and collected in the same manner as other school district taxes are levied, equalized, and collected, and the money thus paid to the county treasurer shall constitute the teachers' salary fund of ----- industrial school union, and shall be used for no other purpose than for paying the salary of the manual training and domestic science teacher of that industrial school union.

5. To make rules and regulations governing the schedule of time the manual training and domestic science teacher shall give to each district constituting the industrial school union.

Trustees to  
decide  
regarding  
subjects  
taught

SEC. 3. It shall be the duty of the board of trustees of each of the districts constituting the industrial school union to decide whether manual training or domestic science, or both such subjects, shall be taught in such district, and to provide a suitable room in which the same shall be taught, and to equip such room with sufficient tools, apparatus, and material for the proper instruction in the subject selected.

Tools, etc.,  
must be  
provided

SEC. 4. If any district constituting the industrial school union shall fail to provide the necessary tools, apparatus, or material for the proper instruction in the subjects selected as provided in section 3 of this act, the board of directors shall authorize the manual training and domestic science teacher to purchase such necessary tools, apparatus, or material, and upon presentation of the bill for such supplies the board of directors shall order the county auditor to pay the same from the county school fund of the delinquent district, and the county auditor

and the county treasurer shall pay such order in the same manner as other school orders are paid; *provided*, that no such purchases by the manual training and domestic science teacher shall exceed in value one hundred fifty dollars. Proviso

SEC. 5. Meetings of the board of directors of the industrial school union shall be held at the call of the president, or at the request of any two members of the board. Such meetings shall be governed by the same rules governing other school boards of the state; *provided*, that a quorum for the transaction of business shall consist of not less than half of all the members of the board, except that the president and secretary may make legal orders for the salary of the teacher; *and provided further*, that members of the board of directors may vote by written proxy upon all questions except those involving teachers' contracts or change of schedule of the teacher. Meetings of directors  
Quorum  
Proxies, when

SEC. 6. The industrial school union shall be under the same laws, rules, and regulations as the public schools of the state in so far as such laws, rules, and regulations are not in conflict with the provisions of this act. School law to govern

SEC. 7. The organization of the industrial school union shall remain undissolved for a period of two years from the thirtieth of June following the organization of the industrial school union by the county commissioners. At the end of the aforesaid two-year period the county commissioners shall renew the organization of the union upon receipt of the same kind of certified statements as provided in section 1 of this act. Organization undissolved for two years

SEC. 8. All acts or parts of acts in conflict with this act are hereby repealed. Repeal

## CHAP. 150—*An Act to regulate the salaries of certain county officials of Clark County.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. From and after April 1, 1915, the sheriff of Clark County shall receive a salary of twenty-four hundred (\$2,400) dollars per annum, payable in twelve equal installments of two hundred (\$200) dollars each month, and such commissions as are now allowed by law, not to exceed in the aggregate the total compensation of three thousand dollars per annum, including actual traveling expenses necessarily incurred in civil and criminal cases when it becomes necessary to travel a greater distance than ten miles from the county-seat. He shall appoint a deputy sheriff, who shall also act as jailer, at a compensation not to exceed one hundred and twenty-five (\$125) dollars per month. The sheriff may, subject to the approval of the board of county commissioners, appoint necessary deputy sheriffs at a compensation not exceeding one hundred dollars each per month, each of said so appointed deputy sheriffs to Salaries of Clark County officers  
Sheriff

give such bond as may be required by the sheriff, or by the board of county commissioners.

**Recorder** The county recorder and auditor shall receive a compensation of twenty-one hundred (\$2,100) dollars per annum, and the board of county commissioners may allow him such thoroughly competent deputies, at a salary not to exceed one hundred (\$100) dollars per month, as in their judgment the volume of the work in his office may require. All fees paid into the recorder and auditor's office shall belong to the county.

**Clerk** The county clerk and ex officio clerk of the district court and of the board of county commissioners shall receive a salary of one hundred and fifty (\$150) dollars per month.

**Assessor** The county assessor shall receive a salary of one hundred and fifty (\$150) dollars per month, and ten cents per mile actually traveled while in the performance of his duties.

**District attorney** The district attorney shall receive a salary of one hundred and fifty (\$150) dollars per month which shall be full compensation for all services rendered, and in addition thereto all necessary traveling expenses while in the performance of his duties.

**Treasurer** The county treasurer shall receive a salary of twenty-one hundred (\$2,100) dollars per annum.

**County commissioners** The chairman of the county commissioners shall receive seventy-five (\$75) dollars per month, and the other members of the board of county commissioners shall receive fifty (\$50) dollars per month, and each commissioner shall be entitled to ten cents per mile for mileage while traveling upon the business of the county to and from meetings of the board.

**Board to allow salaries** SEC. 2. The board of county commissioners of Clark County, Nevada, shall allow the salaries named in section 1 of this act as other salaries are allowed, the auditor shall draw his warrant for the same, and the county treasurer shall pay the same.

**Repeal** SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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CHAP. 151—*An Act to amend section 8 of an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 8 of an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, is hereby amended to read as follows:

Section 8. Between the first day of January and the second

Monday of July in each year, the county assessor, except when otherwise required by special enactment, shall ascertain, by diligent inquiry and examination, all property in his county, real and personal, subject to taxation, and also the names of all persons, corporations, associations, companies, or firms, owning the same; and he shall then determine the true cash value of all such property, and he shall then list and assess the same to the person, firm, corporation, association, or company owning it. In arriving at the value of all public utilities the intangible or franchise element shall be considered as an addition to the physical value and a portion of the true cash value. For the purpose of enabling the assessor to make such assessments, he shall demand from each person or firm, and from the president, cashier, treasurer, or managing agent of each corporation, association, or company, including all banking institutions, associations, or firms within his county, a statement, under oath or affirmation, of all the real estate and personal property within the county, owned or claimed by such persons, firm, corporation, association, or company. If any person, officer, or agent shall neglect, or refuse, on demand of the assessor or his deputy to give, under oath or affirmation, the statement required by this section, or shall give a false name, or shall refuse to give his or her name, or shall refuse to swear or affirm, he or she shall be guilty of a misdemeanor, and shall be arrested upon complaint of the assessor, or his deputy, and upon conviction before a justice of the peace of the county, he or she shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment in the county jail for a term not less than ten days nor more than three months, or by both such fine and imprisonment, at the discretion of the court. If the owners of any property not listed by another person shall be absent or unknown, or fail to make the statement under oath or affirmation, as provided herein, within five days after demand is made therefor, the assessor shall make an estimate of the value of such property and assess the same accordingly. If the name of such absent owner is known to the assessor the property shall be assessed in his or her name; if unknown to the assessor the property shall be assessed to unknown owners. It is hereby made the duty of the assessor, at the end of each month, to report to the district or prosecuting attorney of the county the names of all persons neglecting or refusing to give the statement as required by this section of this act, and it is hereby made the duty of such district or prosecuting attorney to prosecute all persons so offending.

Assessor to ascertain names of owners of all property, and assess same

Franchises, how assessed

Penalty for neglect or refusal to give statement

District attorney to prosecute

CHAP. 152—*An Act to amend section 3 of an act entitled "An act to require school trustees to procure and hoist on public schoolhouses the United States flag," approved March 13, 1909.*

[Approved March 16, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 3 of the above-entitled act is hereby amended so as to read as follows:

Deputy  
superintend-  
ents must  
enforce U. S.  
flag act

Section 3. It is hereby made the duty of the deputy superintendent of public instruction of each school district in the State of Nevada to see that the provisions of this act are carried into effect, and each of said deputy superintendents of public instruction is hereby authorized and empowered to make such rules as may be necessary to enforce the provisions of this act.

CHAP. 153—*An Act in relation to the public revenues, creating the Nevada tax commission and the state board of equalization, defining their powers and duties, and matters relating thereto, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 17, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Nevada tax  
commission

How  
composed

SECTION 1. There is hereby created a commission to be designated and known as the Nevada tax commission. Said Nevada tax commission shall consist of a chairman and four commissioners. One of said commissioners shall be versed in and possess a practical knowledge and experience in the classification of land, the value thereof, and of live stock and the value thereof. The chairman shall be the governor of Nevada. The four commissioners shall be, respectively, the three railroad commissioners of the railroad commission of Nevada, and one additional member, who shall be appointed by the railroad board provided for in section 4549 of the Revised Laws of Nevada, 1912, who shall act as secretary of said commission. Said appointment shall be made with the advice and consent of the senate within ten days after the passage of this act and before the adjournment of this legislature if practicable. The appointment of said commissioner shall be for a term of two years, or until his successor shall have been appointed and qualified. The chairman and each of said commissioners shall have a vote on all matters which may come before said commission. Not more than a majority of the said commission shall be of the same political party. Each commissioner shall devote his entire time to the duties of his respective offices, and shall not hold



any position of trust or profit, engage in any occupation or business interfering with or inconsistent with his duties as such commissioner, or serve on or under any committee of any political party. Before entering upon his duties, the appointive commissioner, designated as secretary of said commission, shall enter into a bond payable to the State of Nevada, to be approved by the governor, in the sum of ten thousand dollars, conditioned on the faithful performance of his duties, and shall subscribe to the official oath.

Secretary

Bonds

SEC. 2. The members of said commission shall have power to prescribe rules and regulations for its own government and governing the procedure and order of business of all regular and special sessions, and three members shall constitute a quorum for the transaction of business. The secretary shall keep full and correct records of all transactions and proceedings of said commission, and perform such other duties as may be required, and, with the approval and consent of the state board of examiners, may employ such clerical or expert assistance as may be required.

Powers of commission

SEC. 3. Said Nevada tax commission, hereinafter and heretofore referred to as "said commission," is hereby empowered:

First—To confer with, advise and direct assessors, sheriffs, as ex officio collectors of licenses, county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues as to their duties; to direct what proceedings, actions or prosecutions shall be instituted to support the law. Said commission may call upon the district attorney of any county or the attorney-general to institute and conduct such civil or criminal proceedings as may be demanded.

Powers of tax commission specified

Second—To have the original power of appraisement or assessment of all property mentioned in section 5 of this act.

Original power of assessment

Third—To establish and prescribe general and uniform rules and regulations governing the assessment of property by the assessors of the various counties, not in conflict with law; to prescribe the form and manner in which assessment rolls or tax lists shall be kept by assessors (and county commissioners shall supply books and blanks for the use of assessors in such form), and also to prescribe the form of the statements of property owners in making returns of their property; and it is hereby made the duty of all county assessors to adopt and put in practice such rules and regulations and to use and adopt such form and manner of keeping such assessment rolls or tax lists, and to use and require such property owners to use, and the county commissioners shall furnish, the blank statements required by said commission in making their property returns.

Rules

Fourth—To require assessors, sheriffs, as ex officio collectors of licenses, and the clerks of the county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, to furnish such information in relation to assessments, licenses,

Revenue officers must give information

or the equalization of property valuations, and in such form as said commission may demand.

Witnesses  
may be  
summoned

Fifth—To summon witnesses to appear and testify on any subject material to the determination of property valuations, licenses, or the net proceeds of mines, but no property owner and no officer, director, superintendent, manager, or agent of any company or corporation, whose property is wholly in one county, shall be required to appear, without his consent, at a place other than the county-seat or at the nearest town to his place of residence, or the principal place of business of such company or corporation. Such summons may be served by personal service by any member of said commission, or by the sheriff of the county, and who shall certify to such service without compensation therefor. Any member of said commission may administer oaths to witnesses.

Oaths

May  
examine  
corporation  
books

Sixth—To make diligent investigation with reference to any class or kind of property believed to be escaping just taxation; and in pursuance whereof, said commission, or any commissioner thereof, may examine the books and accounts of any person, copartnership, or corporation doing business in the state, when such examination is deemed necessary to a proper determination of the valuation of any property subject to taxation, or the determination of any licenses for the conduct of any business, or the determination of the net proceeds of any mine.

Budgets of  
county  
expenses

Seventh—To require boards of county commissioners to submit a budget estimate of the county expenses for the current year in such detail and form as may be required by the Nevada tax commission; to require the county commissioners to increase or decrease the county tax rate to produce the net revenue estimated as necessary for the conduct of such county government in said budget.

General  
supervision  
of revenue  
system

Eighth—The commission shall have, in addition to the specific powers enumerated, the power to exercise general supervision and control over the entire revenue system of the state.

Assessors,  
etc., to place  
untaxed  
property on  
rolls

Ninth—The commission shall have the power to require county assessors, county boards of equalization, and any county auditor to place upon the rolls any property found to be escaping taxation.

Foregoing  
powers do  
not exclude

The enumeration of the foregoing powers shall not be considered as excluding the exercise of any needful and proper power and authority of said commission.

Office at  
Carson City

SEC. 4. Said commission shall keep its office at Carson City, and shall be in general session and open for the transaction of business the usual hours and days in which public offices are kept open, except at such times as said commissioners may be engaged in their official duties elsewhere. Special sessions may be held at such times and places and for such purposes as said commission may declare. There shall annually be held at Carson City two regular sessions of said commission, namely, one beginning on the second Monday in January of each year

Sessions

at 9 o'clock a. m., and continuing from day to day until the business is completed, at which valuations shall be established by said commission on the several kinds and classes of property mentioned in section 5 of this act; and one regular session shall be held annually beginning on the first day of October, or the first legal day thereafter, at the same hour, and continuing from day to day until the business is completed, at which said commission shall equalize property valuations in the state as provided in section 7 of this act exclusive of live stock. The publication in the statutes of the foregoing time, place, and purposes of such regular sessions shall be deemed sufficient notice thereof to all concerned, but said commission, if it so elects, may cause published notices of such regular sessions to be made in the press, or may notify parties in interest by letter or otherwise. All sessions shall be public and all parties interested shall have the right to appear, to be heard in person or by their agents or attorneys, or to submit evidence in documentary form. The publication once a week, for two consecutive weeks, of notice of a special session, in some newspaper of general circulation in the county in which such special session is to be held, or five days' personal service on, or mailed notice to, the person, firm, or corporation affected, stating the time, place, objects, and purposes of such special session, shall be deemed sufficient notice thereof to all concerned.

What is legal notice of sessions

All sessions public

SEC. 5. At the regular session of said commission held on the second Monday of January of each year, said commission shall assess all live stock throughout the state, fixing the valuation per head for the year 1915, and thereafter using the valuation per head established by the preceding session of the state board of equalization for the then current year, as provided for in section 6 of this act, and shall establish the valuation on any property of an interstate or intercounty nature, and which shall in any event include: The property of all interstate or intercounty railroads, sleeping-car, private car line, street railway, traction, telegraph, water, telephone, and electric-light and -power companies, together with the franchises, and the property and franchises of all express companies operating on any common carrier in this state, and which foregoing, exclusive of live stock, shall be assessed as follows: Said commission shall establish the valuation of the franchises, and all physical property, used directly in the operation of any such business of any such company in this state, as a collective unit; and if operating in more than one county, on establishing such unit valuation for the collective property, said commission shall then proceed to determine the total aggregate mileage operated within the state and within the several counties thereof, and so apportion the same upon a mile-unit valuation basis, and the number of miles so apportioned to any county shall be subject to assessment in that county according to the mile-unit valuation so established by said commission. The word "company" shall be construed to mean

Commission to assess all live stock

Railroads, etc.

Franchises

Mile-unit valuation

"Company" defined

All other  
property  
assessed by  
assessors

and include any person or persons, company, corporation, or association engaged in the business described. In case of the omission by said commission to establish a valuation for assessment purposes upon any property mentioned in this section, it shall be the duty of the assessors of any counties wherein such property is situated to assess the same. All other property shall be assessed by the county assessors. On or before the first Monday in June it shall be the duty of the said commission to transmit to the several assessors the assessed valuation found by it on such classes of property as are enumerated in this section, together with the apportionment of each county of such assessment. The several county assessors shall enter on the roll all such assessments transmitted to them by the Nevada tax commission.

Tax  
commission  
and county  
assessors to  
sit as state  
board of  
equalization

SEC. 6. Beginning on the third Monday of August the said commission shall, together with the county assessors of the several counties of the state, sit in Carson City as a state board of equalization. The chairman of the said commission shall be the chairman of the said board of equalization, and each member of said commission and each of the county assessors shall have a vote upon said board. The secretary of the Nevada tax commission shall act as the secretary of the state board of equalization. The actual necessary expenses of the county assessors in attending the meeting of the said board of equalization shall be paid by the respective counties. At such meeting it shall be the duty of the state board of equalization to review the tax rolls of the various counties as corrected by county boards of equalization, and to raise or lower for the purpose of state equalization the valuations therein established by county assessors and county boards of equalization, on any class or piece of property in whole or in part in any county save and except those classes or property enumerated in section 5 of this act, exclusive of live stock, which shall be equalized by the said state board; and in equalizing the assessment of said property it shall be the duty of said state board of equalization to so raise or lower such valuation as to produce an aggregate assessment of all property within the state (including the property enumerated in section 5 of this act) sufficient when the state tax levy is applied thereto to produce the revenues required from taxation as shown in the budget of estimated state expenses provided for in section 8 of this act; *provided, however*, that if said state board of equalization shall fail to perform the duties enumerated in this section, the Nevada tax commission may make such equalization as will be necessary. Said board of equalization shall complete their labors on or before the thirtieth day of September, and any person whose assessment valuation has been raised by said state board of equalization may complain to the Nevada tax commission on or before the third Monday in October in said year, and said tax commission may correct or remedy any inequality or error so complained of. Showing on complaint

may be made by letter or in person, and said commission may, in its discretion, require affidavits in support thereof. If any county assessor shall be unable to attend the meeting of the state board of equalization, the board of county commissioners may appoint a qualified person to act in his stead. At the meeting of the state board of equalization, as provided for in this section, in the year 1915, and annually thereafter, said state board of equalization shall fix the valuation for assessment purposes per head of all live stock in the state; said valuation, however, shall be subject to equalization.

SEC. 7. At the regular session commencing on the first day of October, the Nevada tax commission for the purpose of state equalization may raise or lower any valuations theretofore established by it upon any class or piece of property, exclusive of live stock, enumerated in section 5 of this act, to conform with the equalization of assessments effected by the state board of equalization.

May regulate valuations, except live stock

SEC. 8. It shall be the duty of the state board of examiners, on or before the first Monday in May of each year, to prepare and file with the Nevada tax commission a detailed budget estimate of the aggregate amount of money necessary to be raised by taxation, and from other sources of revenue, to maintain the government of the state upon a cash basis for the current fiscal year.

State budget required

SEC. 9. The secretary of the Nevada tax commission shall certify any change in the assessed valuation of any piece or class or property in whole or in part made by the tax commission or the state board of equalization to the auditor of the county wherein such property is assessed and said auditor shall make such changes in the assessment roll prior to the delivery of his completed tax roll to the ex officio tax receiver.

Secretary to certify changes

SEC. 10. No taxpayer shall be deprived of any remedy or redress in a court of law relating to the payment of taxes, but all actions at law shall be for redress from the findings of said commission or the state board of equalization, and may not be instituted upon the act of an assessor, or of a county board of equalization or the state board of equalization until said commission has denied the complainant redress. Said Nevada tax commission, in that name, may sue and be sued, and shall be so named as defendant in any action at law brought under the provisions of this section, and the attorney-general shall defend the same, but the burden of proof shall be upon the complainant to show by clear and satisfactory evidence that any valuation established or equalized by said commission or the state board of equalization is unjust and inequitable.

Taxpayers not deprived of legal redress

Attorney-general to defend suits

SEC. 11. (a) Any property owner whose taxes exceed the sum of \$300, who has instituted a court proceeding for redress from any increased valuation of his property for assessment purposes, and who shall have paid his December installment of taxes thereon in full, may, on filing with the treasurer of the county a certificate of the clerk of any court that such issue is

Method of paying taxes by owner if court proceedings are instituted



Method of  
paying taxes

pending, pay his June installment in two separate payments, to wit: One payment in a sum which, when added to the December installment, shall represent the amount of taxes payable if computed on the valuation of the preceding tax year plus the taxes on any improvements added since such preceding levy; and the other for the balance required to make up the full June installment; and said county treasurer shall receipt for the latter as a special deposit to be held by such treasurer undisbursed until the court, by its finding, shall award it; and said property in such case shall not be liable for any penalty under the delinquent tax act; and if the court, by its findings, reduces the assessment of such property, said county treasurer, on order of the court, shall refund from such special deposit an amount corresponding to such reduction; and if the court shall not reduce the valuation of said property, then said county treasurer shall transfer the entire special deposit to the public revenues.

Method of  
paying when  
owner has  
applied to  
tax  
commission  
for redress

(b) Any property owner whose taxes are less than \$300, and who has paid his December installment of taxes in full, may, on filing with the treasurer of the county a certificate of the secretary of the Nevada tax commission that he has made complaint or applied to said commission for redress from any increased valuation of his property, pay his June installment in two separate payments, one payment in the sum which, when added to the December installment, shall represent the amount of taxes payable if computed on the valuation of the preceding tax year plus the taxes on any improvements added since such preceding levy, and the other for the balance required to make up the full June installment; and the county treasurer shall receipt for the latter as a special deposit, to be held by such treasurer undisbursed until the Nevada tax commission shall, by its findings, grant or refuse redress from such increased valuation, and said property owner, in such case, shall not be liable for any penalty under the delinquent tax act; and if the Nevada tax commission, by its findings, reduces the assessment valuation of such property, said county treasurer, on order of said commission, shall refund from such special deposit an amount corresponding to such reduction, and shall transfer the remainder to the public revenues; and if said commission shall not reduce the valuation of said property, then said county treasurer shall transfer the entire special deposit to the public revenues. This section and all remedies granted thereunder shall apply to any increased assessment or valuation heretofore made for the fiscal year 1914 and hereafter. Nothing in this section shall be deemed to deprive any taxpayer of any right or remedy he may now have or be entitled to under the laws of Nevada.

All property  
assessed at  
full cash  
value

SEC. 12. All property subject to taxation shall be assessed at its full cash value.

SEC. 13. In pursuance of the general supervision and control over the revenue system of the state, said commission is hereby



empowered to investigate and determine the net proceeds of all operating mines. In pursuance whereof, said commission, in each instance, shall investigate and determine from all obtainable data, evidence, and reports, the gross value of the bullion actually extracted from the reduction of the ores and the proceeds from the sale of the ores of any mine, mining claim, or patented mine, and to deduct therefrom only such actual costs of extraction, transportation, reduction, or sale of ores, as shall be deemed by said commission to be just, proper, and reasonable, and not introduced to deprive or defraud the state of any portion of its just revenue; and in any suit at law arising under the provisions of this section, the burden of proof shall be upon the owner of such mine, mining claim, or patented mine, to establish that any item of cost disallowed by said commission is, nevertheless, just, proper, and reasonable, and not entered to defraud the state.

Proceeds of mines, assessment of, method of procedure

SEC. 14. All the provisions of this act with respect to county assessors, sheriffs, as ex officio collectors of licenses, county commissioners, county auditors, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, and persons summoned as witnesses, the requirement of witnesses to testify, the examination of the books and accounts of persons, copartnerships, and corporations doing business in this state, are mandatory; and any such county officer, or witness summoned, or witness required to testify, or person, copartner, or officer, director, superintendent, or manager, or agent of any corporation, who neglects, fails, or refuses to comply with such mandates shall, for the first offense, be deemed guilty of a misdemeanor, and subject to the penalty prescribed in section 6285, Revised Laws of Nevada; and for persistence therein, constituting a second offense, shall be deemed guilty of a gross misdemeanor, and subject to the penalty prescribed in section 6284 of said Revised Laws. Any person who shall testify falsely shall be guilty of and punished for perjury.

Provisions of this act mandatory

Penalty for refusal

False testimony perjury

SEC. 15. All acts herein required between the assessment and the collection of the taxes or commencement of suit shall be directory merely; and no assessment, or act relating to assessment, or collection of taxes shall be illegal on account of informality, nor because the same was not completed within the time required by law.

Informalities not to invalidate

SEC. 16. The commissioner designated as secretary shall receive a salary of three thousand dollars per annum, payable in equal monthly installments as other state officers are paid. The second associate commissioner of the railroad commission of Nevada as ex officio member of the Nevada tax commission shall receive a salary of five hundred dollars per annum payable in equal monthly installments as other state officers are paid; the governor and the other commissioners shall receive no compensation for their services as members of the Nevada tax commission.

Salaries of secretary and second associate commissioner

**Members to receive actual expenses** SEC. 17. The members of the said commission, and such expert assistants as may be employed, shall be entitled to receive from the state their actual and necessary expenses while traveling on the business of said commission.

**Appropriation, \$10,000** SEC. 18. The sum of ten thousand dollars (\$10,000) is hereby annually appropriated, out of any moneys in the state treasury not otherwise appropriated, to carry out the purposes of this act, and which shall be available for necessary clerical hire, office furniture and fixtures, advertising, rental, and traveling and other expenses. All such expenditures shall be certified to by the chairman of said commission, and, when approved by the state board of examiners, shall be paid by the treasurer from such appropriation on warrants drawn by the controller.

**Annual report** SEC. 19. The commission shall make and publish an annual report for each calendar year, showing its transactions and proceedings for the year.

**Printing to be done at state printing office** SEC. 20. All forms, blanks, envelopes, letterheads, circulars, and reports required to be printed by said commission may, in its discretion, be printed at the state printing office under the general provisions of the act entitled "An act to designate and authorize the work to be done in the state printing office," approved March 5, 1909.

**Other act repealed** SEC. 21. An act entitled "An act in relation to the public revenues, creating the Nevada tax commission, defining its powers and duties, and matters relating thereto, and repealing all other acts or parts of acts in conflict herewith," approved March 20, 1913, and all other acts or parts of acts in conflict herewith, are hereby repealed; *provided, however*, that all meetings of this commission shall be deemed, and shall be, continuation of such meetings as are now being held, or in session, of the Nevada tax commission, created under and by virtue of "An act in relation to the public revenues, creating the Nevada tax commission, defining its powers and duties, and matters relating thereto, and repealing all other acts or parts of acts in conflict herewith," approved March 20, 1913.

**Expires by limitation** SEC. 22. This act shall expire by limitation on March 15, 1917, unless revived by future legislation.

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CHAP. 154—*An Act to provide for the establishment of branch county high schools under certain conditions, in counties having a county high school, and other matters properly connected therewith.*

[Approved March 17, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**Branch county high schools authorized** SECTION 1. The board of county commissioners of any county in the state having a county high school or schools may establish a branch county high school, and it shall be the

duty of the county commissioners to do so whenever the county board of education of such county shall certify that the conditions named in section 2 of this act exist and are complied with.

SEC. 2. Whenever a school district in a county having a county high school or county high schools is in need of and desires county aid for securing or maintaining full high-school instruction and privileges for its children, it may, through its board of trustees, petition the county commissioners to establish in the district a branch county high school. The petition shall set forth the following facts:

1. That said district has already in attendance in its high school twenty or more properly qualified high-school pupils and full high-school work is being done;

2. That the income of the district from county and state apportionments is insufficient for giving such pupils necessary high-school instruction, and that its assessed valuation is too small for it to raise the needed funds from special district taxation;

3. That the district is situated forty miles or more from the county high school, and the parents are unable to send their children to the county high school;

4. That the district is able to and will provide the necessary rooms or buildings for all the high-school work;

5. That the district asks for the establishment therein of a branch county high school under the management and the control of the county board of education.

SEC. 3. Any branch county high school that may be established under the provisions of this act shall be under the full control and management of the county board of education, and it shall be governed in its powers and duties in reference to the said branch county high school by the provisions contained in the Revised Laws of Nevada, 1912, sections 3419, 3420, 3421, 3422, and 3423 (School Code, sections 179, 180, 181, 182, and 183).

SEC. 4. None of the provisions of this act shall in any wise impair or abrogate the provisions of "An act authorizing boards of county commissioners to transfer certain funds to the county school fund of school districts, or to levy a special county tax in certain cases, and other matters properly connected therewith," as found in the Statutes of Nevada, 1913, pages 166 and 167 (School Code, 1913, pages 73 and 74).

County aid,  
how secured

Petition

Facts set  
forth

Under  
control of  
county  
board of  
education

Not to  
conflict with  
certain act

CHAP. 155—*An Act creating a school of mines to be located at Tonopah, Nevada.*

[Approved March 17, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

School of  
mines at  
Tonopah  
under  
control of  
university

SECTION 1. There is hereby created a school of mines, to be known as the Tonopah school of mines, to be located at Tonopah, Nye County, Nevada, to be under the direction and control of the board of regents of the University of Nevada. The principal in charge of said school of mines shall receive a salary of twenty-two hundred and fifty dollars per annum, payable in twelve equal monthly installments on the first day of each and every month during the time this act and the provisions thereof shall remain in force and effect.

Expenditure  
authorized

SEC. 2. The said board of regents of the University of Nevada is hereby authorized and empowered to expend for the support and maintenance of the Tonopah school of mines for the years 1915 and 1916, in addition to the salary of the principal in charge of said school of mines, the sum of seven hundred and fifty dollars.

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CHAP. 156—*An Act to amend an act entitled "An act to regulate banking and other matters relating thereto," approved March 22, 1911.*

[Approved March 17, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 50 of the above-entitled act is hereby amended to read as follows:

Qualifica-  
tions of  
bank  
examiner

Section 50. The governor shall appoint a bank examiner who shall be a person who has had practical banking experience; he shall receive a salary of four thousand dollars per year, payable in equal monthly installments out of the general fund of the state; he may be removed from office at any time by a majority vote of the whole banking board. During his term of office the examiner shall not be permitted to examine the affairs of any bank in which he has an interest nor in which he is or, within one year next preceding his appointment, was an officer or employee. Until further action by the banking board, the present bank examiner shall be continued in office with all the powers and duties thereby conferred and imposed. In every case where the examiner shall be called upon to settle up the affairs of a bank, in accordance with the provisions of this act, he may, if the circumstances in his judgment warrant such action, appoint a deputy bank examiner to aid him in carrying out the provisions of this act; the

examiner shall fix the salary of such deputy, which shall not exceed the sum of two hundred dollars per month, payable monthly out of the general fund of the state. Such deputy shall perform such duties as the examiner shall direct (but no deputy shall be appointed except in connection with the liquidation of the business of a bank, nor shall his employment continue longer than may be required for that purpose, and he shall be subject to removal at any time at the pleasure of the examiner or of the state banking board. The bank examiner shall occupy the offices of the state banking board and shall act as secretary of the board). The seal of the state banking board shall be as heretofore prescribed, and all licenses and orders issued by the board and by its authority shall be attested by the seal of the state banking board and by the signature of the bank examiner.

Deputy may be appointed in connection with liquidation of banks

Seal of board

SEC. 2. Section 55 of the above-entitled act is hereby amended to read as follows:

Section 55. The examiner shall require from the clerks and assistants, including a deputy examiner, if any, employed in the settling up of the affairs of any bank, in accordance with this act, such security for the faithful performance of their duties as he may deem proper.

Security from assistants

SEC. 3. Section 66 of the above-entitled act is hereby amended to read as follows:

Section 66. The deputy bank examiners, if any, shall, before entering upon the discharge of their duties, take and subscribe the constitutional oath of office.

Official oath

CHAP. 157—*An Act to amend an act entitled "An act to regulate proceedings in criminal cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved March 17, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section three hundred and ten of an act entitled "An act to regulate proceedings in criminal cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, is hereby amended so as to read as follows:

Section 310. In the trial of all indictments, complaints, and other proceedings against persons charged with the commission of crimes or offenses, the person so charged shall, at his own request, but not otherwise, be deemed a competent witness, the credit to be given his testimony being left solely to the jury, under the instructions of the court; *provided*, that no special instruction shall be given relating exclusively to the testimony of the defendant, or particularly directing the attention of the jury to the defendant's testimony.

Defendant deemed competent witness for himself

SEC. 2. Section three hundred and eleven of said act is hereby amended so as to read as follows:

Defendant  
not  
compelled to  
testify

Section 311. Nothing herein contained shall be construed as compelling any such person to testify. No instruction shall be given relative to the failure of the person charged with the commission of crime or offense to testify, except, upon the request of the person so charged, the court shall instruct the jury that, in accordance with a right guaranteed by the constitution, no person can be compelled, in a criminal action, to be a witness against himself.

SEC. 3. Section four hundred and ten of said act, as amended by act approved March 24, 1913 (Statutes, 1913, page 274), is hereby amended so as to read as follows:

Indetermin-  
ate sentence,  
how fixed

Section 410. Whenever any person shall be convicted of any felony for which no fixed period of confinement is imposed by law, the court shall, in addition to any fine or forfeiture which he may impose, direct that such person be confined in the state prison, for an indeterminate term limited only by the minimum and maximum term of imprisonment prescribed by law for the offense of which such person shall be convicted; and where no minimum term of imprisonment is prescribed by law, the court shall fix the minimum term in his discretion at not less than one year nor more than five years, and where no maximum term of imprisonment is prescribed by law, the court shall fix such maximum term of imprisonment. Immediately after the rendition of judgment in such case the district judge who presided at the trial and the district attorney who prosecuted the case shall transmit to the secretary of the board of pardons and parole commissioners a written statement of facts within their knowledge which may aid said board in the exercise of the powers conferred by section 411 of this act, and may include in such statement such comments as they may deem pertinent.

Judge and  
district  
attorney

In effect  
July 1, 1915

SEC. 4. This act shall take effect July first, one thousand nine hundred and fifteen.

CHAP. 158—*An Act to amend an act entitled "An act to regulate proceedings in civil cases in this state and to repeal all other acts in relation thereto," approved March 17, 1911, as amended March 24, 1913, and to repeal certain sections of said amendatory act of March 24, 1913.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 104 of said act is hereby amended so as to read as follows:

Section 104. The answer of the defendant shall contain:



1. A general or specific denial of the allegations in the complaint intended to be controverted by the defendant, or a denial thereof according to information and belief. In denying any allegation in the complaint, not presumptively within the knowledge of the defendant, it shall be sufficient to put such allegation in issue, for the defendant to state, as to such allegation, that he has not sufficient knowledge or information upon which to base a belief.

2. A statement, in ordinary and concise language, of any new matter constituting a defense or counterclaim.

SEC. 2. Section 115 of said act is hereby amended so as to read as follows:

Section 115. When the answer contains new matter, constituting a defense, or a counterclaim, the plaintiff shall, within ten days after service of such answer or within ten days after notice of the overruling of the demurrer thereto, serve and file a reply. Said reply shall consist of:

First—A general or specific denial of the allegations in the answer, or in the counterclaim, intended to be controverted by the plaintiff, or a denial thereof according to information and belief. In denying any allegation in the answer, or in the counterclaim, not presumptively within the knowledge of the plaintiff, it shall be sufficient to put such allegations in issue for the plaintiff to state, as to such allegation, that he has not sufficient knowledge or information upon which to base a belief.

Second—Any new matter not inconsistent with the complaint, constituting a defense to the matter alleged in the answer; or the matter in the answer may be confessed, and any new matter alleged, not inconsistent with the complaint, which avoids the same.

SEC. 3. Section 116 of said act is hereby amended so as to read as follows:

Section 116. If the plaintiff fails to demur or reply to the new matter, contained in the answer, constituting a defense, the same shall be deemed admitted; and if the plaintiff fails to demur or reply to the counterclaim, the same shall be deemed admitted.

SEC. 4. Section 133 of said act is hereby amended so as to read as follows:

Section 133. Each material allegation of the complaint not controverted by the answer, and each material allegation of new matter in the answer not controverted by the reply, and each material allegation in the counterclaim not controverted by the reply, must, for the purposes of the action, be taken as true. All allegations of new matter in the reply are to be deemed controverted by the adverse party.

SEC. 5. Section 1, section 2, and section 3 of an act entitled "An act to amend an act entitled 'An act to regulate proceedings in civil cases in this state and to repeal all other acts in

relation thereto,' approved March 17, 1911,' approved March 24, 1913, are hereby repealed.

In effect      SEC. 6. This act shall take effect from and after its passage and approval.

CHAP. 159—*An Act to regulate sales of personal property, and to make uniform the law relating thereto.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

PART I

FORMATION OF THE CONTRACT

*Contracts to Sell, and Sales.*

Contracts to sell, and sales      SECTION 1. (1) A contract to sell goods is a contract whereby the seller agrees to transfer the property in goods to the buyer for a consideration called the price.

(2) A sale of goods is an agreement whereby the seller transfers the property in goods to the buyer for a consideration called the price.

(3) A contract to sell or a sale may be absolute or conditional.

(4) There may be a contract to sell or a sale between one part owner and another.

*Capacity—Liabilities for Necessaries.*

Capacity—liability for necessities      SEC. 2. Capacity to buy and sell is regulated by the general law concerning capacity to contract, and to transfer and acquire property.

Where necessities are sold and delivered to an infant, or to a person who by reason of mental incapacity or drunkenness is incompetent to contract, he must pay a reasonable price therefor.

Necessaries in this section mean goods suitable to the condition in life of such infant or other person, and to his actual requirements at the time of delivery.

FORMALITIES OF THE CONTRACT

*Form of Contract or Sale.*

Form of contract or sale      SEC. 3. Subject to the provisions of this act, and of any statute in that behalf, a contract to sell or a sale may be made in writing (either with or without seal), or by word of mouth, or partly in writing and partly by word of mouth, or may be inferred from the conduct of the parties.

*Statute of Frauds.*

Statute of frauds      SEC. 4. (1) A contract to sell or a sale of any goods or choses in action of the value of two hundred dollars or upwards shall not be enforceable by action unless the buyer shall accept part of the goods or choses in action so contracted to be sold or sold, and actually receive the same, or give something in

earnest to bind the contract, or in part payment, or unless some note or memorandum in writing of the contract or sale be signed by the party to be charged or his agent in that behalf. Statute of  
frauds

(2) The provisions of this section apply to every such contract or sale, notwithstanding that the goods may be intended to be delivered at some future time or may not at the time of such contract or sale be actually made, procured, or provided, or fit or ready for delivery, or some act may be requisite for the making or completing thereof, or rendering the same fit for delivery; but if the goods are to be manufactured by the seller especially for the buyer and are not suitable for sale to others in the ordinary course of the seller's business, the provisions of this section shall not apply.

(3) There is an acceptance of goods within the meaning of this section when the buyer, either before or after delivery of the goods, expresses by words or conduct his assent to becoming the owner of those specific goods.

#### SUBJECT-MATTER OF CONTRACT

##### *Existing and Future Goods.*

SEC. 5. (1) The goods which form the subject of a contract to sell may be either existing goods, owned or possessed by the seller, or goods to be manufactured or acquired by the seller after the making of the contract to sell, in this act called "future goods." Existing and  
future goods

(2) There may be a contract to sell goods, the acquisition of which by the seller depends upon a contingency which may or may not happen.

(3) Where the parties purport to effect a present sale of future goods, the agreement operates as a contract to sell the goods.

##### *Undivided Shares.*

SEC. 6. (1) There may be a contract to sell or a sale of an undivided share of goods. If the parties intend to effect a present sale, the buyer, by force of the agreement, becomes an owner in common with the owner or owners of the remaining shares. Undivided  
shares

(2) In the case of fungible goods, there may be a sale of an undivided share of a specific mass, though the seller purports to sell and the buyer to buy a definite number, weight, or measure of the goods in the mass, and though the number, weight, or measure of the goods in the mass is undetermined. By such a sale the buyer becomes owner in common of such a share of the mass as the number, weight, or measure bought bears to the number, weight, or measure of the mass. If the mass contains less than the number, weight, or measure bought, the buyer becomes the owner of the whole mass and the seller is bound to make good the deficiency from similar goods unless a contrary intent appears.

*Destruction of Goods Sold.*Destruction  
of goods  
sold

SEC. 7. (1) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have wholly perished at the time when the agreement is made, the agreement is void.

(2) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have perished in part or have wholly or in a material part so deteriorated in quality as to be substantially changed in character, the buyer may at his option treat the sale—

(a) As avoided, or

(b) As transferring the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price of the sale was indivisible, or to pay the agreed price for the goods in which the property passes if the sale was divisible.

*Destruction of Goods Contracted To Be Sold.*Destruction  
of goods  
contracted  
to be sold

SEC. 8. (1) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault on the part of the seller or the buyer, the goods wholly perish, the contract is thereby avoided.

(2) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault of the seller or the buyer, part of the goods perish or the whole or a material part of the goods so deteriorate in quality as to be substantially changed in character, the buyer may at his option treat the contract—

(a) As avoided, or

(b) As binding the seller to transfer the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the contract was indivisible, or to pay the agreed price for so much of the goods as the seller, by the buyer's option, is bound to transfer if the contract was divisible.

## THE PRICE

*Definition and Ascertainment of Price.*Definition  
and ascer-  
tainment of  
price

SEC. 9. (1) The price may be fixed by the contract, or may be left to be fixed in such manner as may be agreed, or it may be determined by the course of dealing between the parties.

(2) The price may be made payable in any personal property.

(3) Where transferring or promising to transfer any interest in real estate constitutes the whole or part of the consideration for transferring or for promising to transfer the property in goods, this act shall not apply.

(4) Where the price is not determined in accordance with the foregoing provisions the buyer must pay a reasonable price. What is a reasonable price is a question of fact dependent on the circumstances of each particular case.

*Sale at a Valuation.*

SEC. 10. (1) Where there is a contract to sell or a sale of goods at a price or on terms to be fixed by a third person, and such third person, without fault of the seller or the buyer, cannot or does not fix the price or terms, the contract or the sale is thereby avoided; but if the goods or any part thereof have been delivered to and appropriated by the buyer he must pay a reasonable price therefor. Sale at a valuation

(2) Where such third person is prevented from fixing the price or terms by fault of the seller or the buyer, the party not in fault may have such remedies against the party in fault as are allowed by Parts IV and V of this act.

CONDITIONS AND WARRANTIES

*Effect of Conditions.*

SEC. 11. (1) Where the obligation of either party to a contract to sell or a sale is subject to any condition which is not performed, such party may refuse to proceed with the contract or sale or he may waive performance of the condition. If the other party has promised that the condition should happen or be performed, such first-mentioned party may also treat the nonperformance of the condition as a breach of warranty. Effect of conditions

(2) Where the property in the goods has not passed, the buyer may treat the fulfilment by the seller of his obligation to furnish goods as described and as warranted expressly or by implication in the contract to sell as a condition of the obligation of the buyer to perform his promise to accept and pay for the goods.

*Definition of Express Warranty.*

SEC. 12. Any affirmation of fact or any promise by the seller relating to the goods is an express warranty if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods, and if the buyer purchases the goods relying thereon. No affirmation of the value of the goods, nor any statement purporting to be a statement of the seller's opinion only, shall be construed as a warranty. Definition of express warranty

*Implied Warranties of Title.*

SEC. 13. In a contract to sell or a sale, unless a contrary intention appears, there is—

(1) An implied warranty on the part of the seller that in case of a sale he has a right to sell the goods, and that in case of a contract to sell he will have a right to sell the goods at the time when the property is to pass; Implied warranties of title

(2) An implied warranty that the buyer shall have and enjoy quiet possession of the goods as against any lawful claims existing at the time of the sale;

(3) An implied warranty that the goods shall be free at the time of the sale from any charge of encumbrance in favor of any third person, not declared or known to the buyer before or at the time when the contract or sale is made;

(4) This section shall not, however, be held to render liable a sheriff, auctioneer, mortgagee, or other person professing to sell, by virtue of authority in fact or law, goods in which a third person has a legal or equitable interest.

*Implied Warranty in Sale by Description.*

Implied  
warranty in  
sale by  
description

SEC. 14. Where there is a contract to sell or a sale of goods by description, there is an implied warranty that the goods shall correspond with the description, and if the contract or sale be by sample, as well as by description, it is not sufficient that the bulk of the goods corresponds with the sample if the goods do not also correspond with the description.

*Implied Warranties of Quality.*

Implied  
warranties  
of quality

SEC. 15. Subject to the provisions of this act and of any statute in that behalf, there is no implied warranty or condition as to the quality or fitness for any particular purpose of goods supplied under a contract to sell or a sale, except as follows:

(1) Where the buyer, expressly or by implication, makes known to the seller the particular purpose for which the goods are required, and it appears that the buyer relies on the seller's skill or judgment (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be reasonably fit for such purpose.

(2) Where the goods are bought by description from a seller who deals in goods of that description (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be of merchantable quality.

(3) If the buyer has examined the goods there is no implied warranty as regards defects which such examination ought to have revealed.

(4) In the case of a contract to sell or a sale of a specified article under its patent or other trade name, there is no implied warranty as to its fitness for any particular purpose.

(5) An implied warranty or condition as to quality or fitness for a particular purpose may be annexed by the usage of trade.

(6) An express warranty or condition does not negative a warranty or condition implied under this act unless inconsistent therewith.

SALE BY SAMPLE

*Implied Warranties in Sale by Sample.*

SEC. 16. In the case of a contract to sell or a sale by sample—

Implied  
warranties  
in sale by  
sample

(a) There is an implied warranty that the bulk shall correspond with the sample in quality.

(b) There is an implied warranty that the buyer shall have a reasonable opportunity of comparing the bulk with the sample, except so far as otherwise provided in section 47 (3).

(c) If the seller is a dealer in goods of that kind, there is



an implied warranty that the goods shall be free from any defect rendering them unmerchantable which would not be apparent on reasonable examination of the sample.

## PART II

### TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER

#### *No Property Passes Until Goods Are Ascertained.*

SEC. 17. Where there is a contract to sell unascertained goods no property in the goods is transferred to the buyer unless and until the goods are ascertained, but property in an undivided share of ascertained goods may be transferred as provided in section 6.

No property passes until goods are ascertained

#### *Property in Specific Goods Passes when Parties so Intend.*

SEC. 18. (1) Where there is a contract to sell specific or ascertained goods, the property in them is transferred to the buyer at such time as the parties to the contract intend it to be transferred.

Property in specific goods passes when parties so intend

(2) For the purpose of ascertaining the intention of the parties, regard shall be had to the terms of the contract, the conduct of the parties, usages of trade, and the circumstances of the case.

#### *Rules for Ascertaining Intention.*

SEC. 19. Unless a different intention appears, the following are rules for ascertaining the intention of the parties as to the time at which the property in the goods is to pass to the buyer:

Rules for ascertaining intention

RULE 1. Where there is an unconditional contract to sell specific goods, in a deliverable state, the property in the goods passes to the buyer when the contract is made and it is immaterial whether the time of payment, or the time of delivery, or both, be postponed.

RULE 2. Where there is a contract to sell specific goods and the seller is bound to do something to the goods, for the purpose of putting them into a deliverable state, the property does not pass until such thing be done.

RULE 3. (1) When goods are delivered to the buyer "on sale or return," or on other terms indicating an intention to make a present sale, but to give the buyer an option to return the goods instead of paying the price, the property passes to the buyer on delivery, but he may revest the property in the seller by returning or tendering the goods within the time fixed in the contract, or, if no time has been fixed, within a reasonable time.

(2) When goods are delivered to the buyer on approval or on trial or on satisfaction, or other similar terms, the property therein passes to the buyer—

(a) When he signifies his approval or acceptance to the seller or does any other act adopting the transaction;

(b) If he does not signify his approval or acceptance to the seller, but retains the goods without giving notice of rejection,

## Rules

then if a time has been fixed for the return of the goods, on the expiration of such time, and, if no time has been fixed, on the expiration of a reasonable time. What is a reasonable time is a question of fact.

**RULE 4.** (1) Where there is a contract to sell unascertained or future goods by description, and goods of that description and in a deliverable state are unconditionally appropriated to the contract, either by the seller with the assent of the buyer, or by the buyer with the assent of the seller, the property in the goods thereupon passes to the buyer. Such assent may be expressed or implied, and may be given either before or after the appropriation is made.

(2) Where, in pursuance of a contract to sell, the seller delivers the goods to the buyer, or to a carrier or other bailee (whether named by the buyer or not) for the purpose of transmission to or holding for the buyer, he is presumed to have unconditionally appropriated the goods to the contract, except in the cases provided for in the next rule and in section 20. This presumption is applicable, although by the terms of the contract, the buyer is to pay the price before receiving delivery of the goods, and the goods are marked with the words "collect on delivery," or their equivalents.

**RULE 5.** If the contract to sell requires the seller to deliver the goods to the buyer, or at a particular place, or to pay the freight or cost of transportation to the buyer, or to a particular place, the property does not pass until the goods have been delivered to the buyer or reached the place agreed upon.

*Reservation of Right of Possession or Property when Goods Are Shipped.*

Reservation  
of right of  
possession or  
property  
when goods  
are shipped

**SEC. 20.** (1) Where there is a contract to sell specific goods, or where goods are subsequently appropriated to the contract, the seller may, by the terms of the contract or appropriation, reserve the right of possession or property in the goods until certain conditions have been fulfilled. The right of possession or property may be thus reserved notwithstanding the delivery of the goods to the buyer or to a carrier or other bailee for the purpose of transmission to the buyer.

(2) Where goods are shipped, and by the bill of lading the goods are deliverable to the seller or his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill of lading, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(3) Where goods are shipped, and by the bill of lading the goods are deliverable to the order of the buyer or of his agent, but possession of the bill of lading is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods as against the buyer.

(4) Where the seller of goods draws on the buyer for the price and transmits the bill of exchange and bill of lading together to the buyer to secure acceptance or payment of the bill of exchange, the buyer is bound to return the bill of lading if he does not honor the bill of exchange, and if he wrongfully retains the bill of lading he acquires no added right thereby. If, however, the bill of lading provides that the goods are deliverable to the buyer or to the order of the buyer, or is indorsed in blank, or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill of lading, or goods from the buyer will obtain the property in the goods, although the bill of exchange has not been honored, provided that such purchaser has received delivery of the bill of lading indorsed by the consignee named therein, or of the goods, without notice of the facts making the transfer wrongful.

Reservation  
of right

*Sale by Auction.*

SEC. 21. In the case of sale by auction—

(1) Where goods are put up for sale by auction in lots, each lot is the subject of a separate contract of sale—

Sale by  
auction

(2) A sale by auction is complete when the auctioneer announces its completion by the fall of the hammer, or in other customary manner. Until such announcement is made, any bidder may retract his bid; and the auctioneer may withdraw the goods from sale unless the auction has been announced to be without reserve.

(3) A right to bid may be reserved expressly by or on behalf of the seller.

(4) Where notice has not been given that a sale by auction is subject to a right to bid on behalf of the seller, it shall not be lawful for the seller to bid himself or to employ or induce any person to bid at such sale on his behalf, or for the auctioneer to employ or induce any person to bid at such sale on behalf of the seller or knowingly to take any bid from the seller or any person employed by him. Any sale contravening this rule may be treated as fraudulent by the buyer.

*Risk of Loss.*

SEC. 22. Unless otherwise agreed, the goods remain at the seller's risk until the property therein is transferred to the buyer, but when the property therein is transferred to the buyer the goods are at the buyer's risk whether delivery has been made or not, except that—

Risk of loss

(a) Where delivery of the goods has been made to the buyer, or to a bailee for the buyer, in pursuance of the contract and the property in the goods has been retained by the seller merely to secure performance by the buyer of his obligations, under the contract, the goods are at the buyer's risk from the time of such delivery.

(b) Where delivery has been delayed through the fault of either buyer or seller the goods are at the risk of the party in

fault as regards any loss which might not have occurred but for such fault.

#### TRANSFER OF TITLE

##### *Sale by a Person Not the Owner.*

Sale by a  
person not  
the owner

SEC. 23. (1) Subject to the provisions of this act, where goods are sold by a person who is not the owner thereof, and who does not sell them under the authority or with the consent of the owner, the buyer acquires no better title to the goods than the seller had, unless the owner of the goods is by his conduct precluded from denying the seller's authority to sell.

(2) Nothing in this act, however, shall affect—

(a) The provisions of any factor's acts, recording acts, or any enactment enabling the apparent owner of goods to dispose of them as if he were the true owner thereof.

(b) The validity of any contract to sell or sale under any special common law or statutory power of sale or under the order of a court of competent jurisdiction.

##### *Sale by One Having a Voidable Title.*

Sale by one  
having a  
voidable title

SEC. 24. Where the seller of goods has a voidable title thereto, but his title has not been avoided at the time of the sale, the buyer acquires a good title to the goods, provided he buys them in good faith, for value, and without notice of the seller's defect of title.

##### *Sale by Seller in Possession of Goods Already Sold.*

Sale by  
seller in  
possession of  
goods  
already sold

SEC. 25. Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, the delivery or transfer by that person, or by an agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition thereof, to any person receiving and paying value for the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorized by the owner of the goods to make the same.

##### *Creditors' Rights Against Sold Goods in Seller's Possession.*

Creditors'  
rights  
against sold  
goods in  
seller's  
possession

SEC. 26. Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods and such retention of possession is fraudulent in fact or is deemed fraudulent under any rule of law, a creditor or creditors of the seller may treat the sale as void.

##### *Definition of Negotiable Documents of Title.*

Definition of  
negotiable  
documents  
of title

SEC. 27. A document of title in which it is stated that the goods referred to therein will be delivered to the bearer, or to the order of any person named in such document, is a negotiable document of title.

##### *Negotiation of Negotiable Documents by Delivery.*

SEC. 28. A negotiable document of title may be negotiated by delivery—

(a) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same undertakes to deliver the goods to the bearer, or

Negotiation of negotiable documents by delivery

(b) Where by the terms of the document the carrier, warehouseman or other bailee issuing the same undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the document has indorsed it in blank or to bearer.

Where by the terms of a negotiable document of title the goods are deliverable to bearer or where a negotiable document of title has been indorsed in blank or to bearer, any holder may indorse the same to himself or to any other specified person, and in such case the document shall thereafter be negotiated only by the indorsement of such indorsee.

*Negotiation of Negotiable Documents by Indorsement.*

SEC. 29. A negotiable document of title may be negotiated by the indorsement of the person to whose order the goods are by the terms of the document deliverable. Such indorsement may be in blank, to bearer or to a specified person. If indorsed to a specified person, it may be again negotiated by the indorsement of such person in blank to bearer, or to another specified person. Subsequent negotiation may be made in like manner.

Negotiation of negotiable documents by indorsement

*Negotiable Documents of Title Marked "Not Negotiable."*

SEC. 30. If a document of title which contains an undertaking by a carrier, warehouseman, or other bailee to deliver the goods to the bearer, to a specified person or order, or to the order of a specified person, or which contains words of like import, has placed upon it the words "not negotiable," "non-negotiable," or the like, such a document may nevertheless be negotiated by the holder and is a negotiable document of title within the meaning of this act. But nothing in this act contained shall be construed as limiting or defining the effect upon the obligations of the carrier, warehouseman, or other bailee issuing a document of title of placing thereon the words "not negotiable," "non-negotiable," or the like.

Negotiable documents of title marked "not negotiable"

*Transfer of Non-Negotiable Documents.*

SEC. 31. A document of title which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee. A non-negotiable document cannot be negotiated and the indorsement of such a document gives the transferee no additional right.

Transfer of non-negotiable documents

*Who May Negotiate a Document.*

SEC. 32. A negotiable document of title may be negotiated—

(a) By the owner thereof, or

(b) By any person to whom the possession or custody of the document has been entrusted by the owner, if, by the terms of the document the bailee issuing the document undertakes to deliver the goods to the order of the person to whom the

Who may negotiate a document

possession or custody of the document has been entrusted, or if at the time of such entrusting the document is in such form that it may be negotiated by delivery.

*Rights of Person to Whom Document Has Been Negotiated.*

Rights of  
person to  
whom  
document  
has been  
negotiated

SEC. 33. A person to whom a negotiable document of title has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the document to him had or had ability to convey to a purchaser in good faith for value and also such title to the goods as the person to whose order the goods were to be delivered by the terms of the document had or had ability to convey to a purchaser in good faith for value, and

(b) The direct obligation of the bailee issuing the document to hold possession of the goods for him according to the terms of the document as fully as if such bailee had contracted directly with him.

*Rights of Person to Whom Document Has Been Transferred.*

Rights of  
person to  
whom  
document  
has been  
transferred

SEC. 34. A person to whom a document of title has been transferred, but not negotiated, acquires thereby, as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor.

If the document is non-negotiable such person also acquires the right to notify the bailee who issued the document of the transfer thereof and thereby to acquire the direct obligation of such bailee to hold possession of the goods for him according to the terms of the document.

Prior to the notification of such bailee by the transferor or transferee of a non-negotiable document of title, the title of the transferee to the goods and the right to acquire the obligation of such bailee may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to such bailee by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

*Transfer of Negotiable Document Without Indorsement.*

Transfer of  
negotiable  
document  
without  
indorsement

SEC. 35. Where a negotiable document of title is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to endorse the document unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made.

*Warranties on Sale of Document.*

Warranties  
on sale of  
document

SEC. 36. A person who for value negotiates or transfers a document of title by indorsement or delivery, including one who assigns for value a claim secured by a document of title unless a contrary intention appears, warrants—

(a) That the document is genuine;

(b) That he has a legal right to negotiate or transfer it;



(c) That he has knowledge of no fact which would impair the validity or worth of the document, and

(d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose, whenever such warranties would have been implied if the contract of the parties had been to transfer without a document of title the goods represented thereby.

*Indorser Not a Guarantor.*

SEC. 37. The indorsement of a document of title shall not make the indorser liable for any failure on the part of the bailee who issued the document or previous indorsers thereof to fulfil their respective obligations.

Indorser not  
a guarantor

*When Negotiations Not Impaired by Fraud, Mistake, or Duress.*

SEC. 38. The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the document was induced by fraud, mistake, or duress to entrust the possession or custody thereof to such person, if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor, without notice of the breach of duty, or fraud, mistake, or duress.

When  
negotiations  
not impaired  
by fraud,  
mistake, or  
duress

*Attachment or Levy upon Goods for Which a Negotiable Document Has Been Issued.*

SEC. 39. If goods are delivered to a bailee by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner and a negotiable document of title is issued for them they cannot thereafter, while in the possession of such bailee, be attached by garnishment or otherwise or be levied upon under an execution unless the document be first surrendered to the bailee or its negotiation enjoined. The bailee shall in no case be compelled to deliver up the actual possession of the goods until the document is surrendered to him or impounded by the court.

Attachment  
or levy upon  
goods for  
which a  
negotiable  
document  
has been  
issued

*Creditors' Remedies to Reach Negotiable Documents.*

SEC. 40. A creditor whose debtor is the owner of a negotiable document of title shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such document or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

Creditors'  
remedies to  
reach  
negotiable  
documents

PART III

PERFORMANCE OF THE CONTRACT

*Seller Must Deliver, and Buyer Accept, Goods.*

SEC. 41. It is the duty of the seller to deliver the goods, and of the buyer to accept and pay for them, in accordance with the terms of the contract to sell or sale.

Seller must  
deliver,  
and buyer  
accept,  
goods

*Delivery and Payment Are Concurrent Conditions.*

Delivery and  
payment are  
concurrent  
conditions

SEC. 42. Unless otherwise agreed, delivery of the goods and payment of the price are concurrent conditions; that is to say, the seller must be ready and willing to give possession of the goods to the buyer in exchange for the price and the buyer must be ready and willing to pay the price in exchange for possession of the goods.

*Place, Time, and Manner of Delivery.*

Place, time,  
and manner  
of delivery

SEC. 43. (1) Whether it is for the buyer to take possession of the goods or for the seller to send them to the buyer is a question depending in each case on the contract, express or implied, between the parties. Apart from any such contract, express or implied, or usage of trade to the contrary, the place of delivery is the seller's place of business, if he have one, and if not, his residence; but in case of a contract to sell or a sale of specific goods, which to the knowledge of the parties when the contract or the sale was made were in some other place, then that place is the place of delivery.

(2) Where by a contract to sell or a sale the seller is bound to send the goods to the buyer, but no time for sending them is fixed, the seller is bound to send them within a reasonable time.

(3) Where the goods at the time of sale are in possession of a third person, the seller has not fulfilled his obligation to deliver to the buyer unless and until such third person acknowledges to the buyer that he holds the goods on the buyer's behalf; but as against all others than the seller the buyer shall be regarded as having received delivery from the time when such third person first has notice of the sale. Nothing in this section, however, shall affect the operation of the issue or transfer of any document of title to goods.

(4) Demand or tender of delivery may be treated as ineffectual unless made at a reasonable hour. What is a reasonable hour is a question of fact.

(5) Unless otherwise agreed, the expenses of and incidental to putting the goods into a deliverable state must be borne by the seller.

*Delivery of Wrong Quantity.*

Delivery of  
wrong  
quantity

SEC. 44. (1) Where the seller delivers to the buyer a quantity of goods less than he contracted to sell, the buyer may reject them, but if the buyer accepts or retains the goods so delivered, knowing that the seller is not going to perform the contract in full, he must pay for them at the contract rate. If, however, the buyer has used or disposed of the goods delivered before he knows that the seller is not going to perform his contract in full, the buyer shall not be liable for more than the fair value to him of the goods so received.

(2) Where the seller delivers to the buyer a quantity of goods larger than he contracted to sell, the buyer may accept the goods included in the contract and reject the rest, or he

may reject the whole. If the buyer accepts the whole of the goods so delivered he must pay for them at the contract rate.

(3) Where the seller delivers to the buyer the goods he contracted to sell mixed with goods of a different description not included in the contract, the buyer may accept the goods which are in accordance with the contract and reject the rest, or he may reject the whole.

(4) The provisions of this section are subject to any usage of trade, special agreement, or course of dealing between parties.

*Delivery in Installments.*

SEC. 45. (1) Unless otherwise agreed, the buyer of goods is not bound to accept delivery thereof by installments. Delivery in installments

(2) Where there is a contract to sell goods to be delivered by stated installments, which are to be separately paid for, and the seller makes defective deliveries in respect of one or more installments, or the buyer neglects or refuses to take delivery of or pay for one or more installments, it depends in each case on the terms of the contract and the circumstances of the case, whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire contract, or whether the breach is severable, giving rise to a claim for compensation, but not to a right to treat the whole contract as broken.

*Delivery to a Carrier on Behalf of the Buyer.*

SEC. 46. (1) Where, in pursuance of a contract to sell or a sale, the seller is authorized or required to send the goods to the buyer, delivery of the goods to a carrier, whether named by the buyer or not, for the purpose of transmission to the buyer is deemed to be a delivery of the goods to the buyer, except in the cases provided for in section 19, rule 5, or unless a contrary intent appears. Delivery to a carrier on behalf of the buyer

(2) Unless otherwise authorized by the buyer, the seller must make such contract with the carrier on behalf of the buyer as may be reasonable, having regard to the nature of the goods and the other circumstances of the case. If the seller omits so to do, and the goods are lost or damaged in course of transit, the buyer may decline to treat the delivery to the carrier as a delivery to himself, or may hold the seller responsible in damages.

(3) Unless otherwise agreed, where goods are sent by the seller to the buyer under circumstances in which the seller knows or ought to know that it is usual to insure, the seller must give such notice to the buyer as may enable him to insure them during their transit, and, if the seller fails to do so, the goods shall be deemed to be at his risk during such transit.

*Right to Examine the Goods.*

SEC. 47. (1) Where goods are delivered to the buyer, which he has not previously examined, he is not deemed to have accepted them unless and until he has had a reasonable Right to examine the goods

Right to  
examine  
goods

opportunity of examining them for the purpose of ascertaining whether they are in conformity with the contract.

(2) Unless otherwise agreed, when the seller tenders delivery of goods to the buyer, he is bound, on request, to afford the buyer a reasonable opportunity of examining the goods for the purpose of ascertaining whether they are in conformity with the contract.

(3) Where goods are delivered to a carrier by the seller, in accordance with an order from or agreement with the buyer, upon the terms that the goods shall not be delivered by the carrier to the buyer until he has paid the price, whether such terms are indicated by marking the goods with the words "collect on delivery," or otherwise, the buyer is not entitled to examine the goods before payment of the price in the absence of agreement permitting such examination.

*What Constitutes Acceptance.*

What  
constitutes  
acceptance

SEC. 48. The buyer is deemed to have accepted the goods when he intimates to the seller that he has accepted them, or when the goods have been delivered to him, and he does any act in relation to them which is inconsistent with the ownership of the seller, or when, after the lapse of a reasonable time, he retains the goods without intimating to the seller that he has rejected them.

*Acceptance Does Not Bar Action for Damages.*

Acceptance  
does not bar  
action for  
damages

SEC. 49. In the absence of express or implied agreement of the parties, acceptance of the goods by the buyer shall not discharge the seller from liability in damages or other legal remedy for breach of any promise or warranty in the contract to sell or sale. But, if, after acceptance of the goods, the buyer fail to give notice to the seller of the breach of any promise or warranty within a reasonable time after the buyer knows, or ought to know, of such breach, the seller shall not be liable thereunder.

*Buyer Is Not Bound to Return Goods Wrongly Delivered.*

Buyer is not  
bound to  
return goods  
wrongly  
delivered

SEC. 50. Unless otherwise agreed, where goods are delivered to the buyer, and he refuses to accept them, having the right so to do, he is not bound to return them to the seller, but it is sufficient if he notifies the seller that he refuses to accept them.

*Buyer's Liability for Failing to Accept Delivery.*

Buyer's  
liability for  
failing to  
accept  
delivery

SEC. 51. When the seller is ready and willing to deliver the goods, and requests the buyer to take delivery, and the buyer does not within a reasonable time after such request take delivery of the goods, he is liable to the seller for any loss occasioned by his neglect or refusal to take delivery, and also for a reasonable charge for the care and custody of the goods. If the neglect or refusal of the buyer to take delivery amounts to a repudiation or breach of the entire contract, the seller shall have the rights against the goods and on the contract

hereinafter provided in favor of the seller when the buyer is in default.

# PART IV RIGHTS OF UNPAID SELLER AGAINST THE GOODS

## *Definition of Unpaid Seller.*

SEC. 52. (1) The seller of goods is deemed to be an unpaid seller within the meaning of this act—

(a) When the whole of the price has not been paid or tendered. Definition of unpaid seller

(b) When a bill of exchange or other negotiable instrument has been received as conditional payment, and the condition on which it was received has been broken by reason of the dishonor of the instrument, the insolvency of the buyer, or otherwise.

(2) In this part of this act the term “seller” includes an agent of the seller to whom the bill of lading had been indorsed, or a consignor or agent who has himself paid, or is directly responsible for, the price, or of any other person who is in the position of a seller.

## *Remedies of an Unpaid Seller.*

SEC. 53. (1) Subject to the provisions of this act, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of goods, as such, has—

(a) A lien on the goods or right to retain them for the price while he is in possession of them; Remedies of an unpaid seller

(b) In case of the insolvency of the buyer, a right of stopping the goods in transitu after he has parted with the possession of them;

(c) A right of resale as limited by this act;

(d) A right to rescind the sale as limited by this act.

(2) Where the property in goods has not passed to the buyer, the unpaid seller has, in addition to his other remedies, a right of withholding delivery similar to and coextensive with his rights of lien and stoppage in transitu where the property has passed to the buyer.

# UNPAID SELLER'S LIEN

## *When Right of Lien May Be Exercised.*

SEC. 54. (1) Subject to the provisions of this act, the unpaid seller of goods who is in possession of them is entitled to retain possession of them until payment or tender of the price in the following cases, namely:

(a) Where the goods have been sold without any stipulation as to credit; When right of lien may be exercised

(b) Where the goods have been sold on credit, but the term of credit has expired;

(c) Where the buyer becomes insolvent.

(2) The seller may exercise his right of lien notwithstanding that he is in possession of the goods as agent or bailee for the buyer.

*Lien After Part Delivery.*Lien after  
part  
delivery

SEC. 55. Where an unpaid seller has made part delivery of the goods, he may exercise his right of lien on the remainder, unless such part delivery has been made under such circumstances as to show an intent to waive the lien or right of retention.

*When Lien Is Lost.*When lien is  
lost

SEC. 56. (1) The unpaid seller of goods loses his lien thereon—

(a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the property in the goods or the right to the possession thereof;

(b) When the buyer or his agent lawfully obtains possession of the goods;

(c) By waiver thereof.

(2) The unpaid seller of goods, having a lien thereon, does not lose his lien by reason only that he has obtained judgment or decree for the price of the goods.

## STOPPAGE IN TRANSITU

*Seller May Stop Goods on Buyer's Insolvency.*Seller may  
stop goods  
on buyer's  
insolvency

SEC. 57. Subject to the provisions of this act, when the buyer of goods is or becomes insolvent, the unpaid seller who has parted with the possession of the goods has the right of stopping them in transitu, that is to say, he may resume possession of the goods at any time while they are in transit, and he will then become entitled to the same rights in regard to the goods as he would have had if he had never parted with the possession.

*When Goods Are in Transit.*

SEC. 58. (1) Goods are in transit within the meaning of section 57—

When goods  
are in  
transit

(a) From the time when they are delivered to a carrier by land or water, or other bailee for the purpose of transmission to the buyer, until the buyer, or his agent in that behalf, takes delivery of them from such carrier or other bailee;

(b) If the goods are rejected by the buyer, and the carrier or other bailee continues in possession of them even if the seller has refused to receive them back.

(2) Goods are no longer in transit within the meaning of section 57—

(a) If the buyer, or his agent in that behalf, obtains delivery of the goods before their arrival at the appointed destination;

(b) If, after the arrival of the goods at the appointed destination, the carrier or other bailee acknowledges to the buyer or his agent that he holds the goods on his behalf and continues in possession of them as bailee for the buyer or his agent; and it is immaterial that a further destination for the goods may have been indicated by the buyer;



(c) If the carrier or other bailee wrongfully refuses to deliver the goods to the buyer or his agent in that behalf.

(3) If the goods are delivered to a ship chartered by the buyer, it is a question depending on the circumstances of the particular case, whether they are in the possession of the master as a carrier or as agent of the buyer.

(4) If part delivery of the goods has been made to the buyer, or his agent in that behalf, the remainder of the goods may be stopped in transitu, unless such part delivery has been made under such circumstances as to show an agreement with the buyer to give up possession of the whole of the goods.

*Ways of Exercising the Right to Stop.*

SEC. 59. (1) The unpaid seller may exercise his right of stoppage in transitu either by obtaining actual possession of the goods or by giving notice of his claim to the carrier or other bailee in whose possession the goods are. Such notice may be given either to the person in actual possession of the goods or to his principal. In the latter case the notice, to be effectual, must be given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may prevent a delivery to the buyer.

Ways of  
exercising  
the right to  
stop

(2) When notice of stoppage in transitu is given by the seller to the carrier or other bailee in possession of the goods, he must redeliver the goods to, or according to the directions of, the seller. The expenses of such delivery must be borne by the seller. If, however, a negotiable document of title representing the goods has been issued by the carrier or other bailee, he shall not be obliged to deliver or justified in delivering the goods to the seller unless such document is first surrendered for cancelation.

RESALE BY THE SELLER

*When and How Resale May Be Made.*

SEC. 60. (1) Where the goods are of a perishable nature, or where the seller expressly reserves the right of resale in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time, an unpaid seller having a right of lien or having stopped the goods in transitu may resell the goods. He shall not thereafter be liable to the original buyer upon the contract to sell or the sale or for any profit made by such resale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

When and  
how resale  
may be made

(2) Where a resale is made, as authorized in this section, the buyer acquires a good title as against the original buyer.

(3) It is not essential to the validity of a resale that notice of an intention to resell the goods be given by the seller to the original buyer. But where the right to resell is not based on the perishable nature of the goods or upon an express provision of the contract or the sale, the giving or failure to give

such notice shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the resale was made.

(4) It is not essential to the validity of a resale that notice of the time and place of such resale should be given by the seller to the original buyer.

(5) The seller is bound to exercise reasonable care and judgment in making a resale, and subject to this requirement may make a resale either by public or private sale.

#### RESCISSION BY THE SELLER

##### *When and How the Seller May Rescind the Sale.*

When and  
how the  
seller may  
rescind  
the sale

SEC. 61. (1) An unpaid seller having a right of lien or having stopped the goods in transitu, may rescind the transfer of title and resume the property in the goods, where he expressly reserved the right to do so in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time. The seller shall not thereafter be liable to the buyer upon the contract to sell or the sale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

(2) The transfer of title shall not be held to have been rescinded by an unpaid seller until he has manifested by notice to the buyer or by some other overt act an intention to rescind. It is not necessary that such overt act should be communicated to the buyer, but the giving or failure to give notice to the buyer of the intention to rescind shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the right of rescission was asserted.

##### *Effect of Sale of Goods Subject to Lien or Stoppage in Transitu.*

Effect of sale  
of goods  
subject to  
lien or  
stoppage in  
transitu

SEC. 62. Subject to the provisions of this act, the unpaid seller's right of lien or stoppage in transitu is not affected by any sale, or other disposition of the goods which the buyer may have made, unless the seller has assented thereto.

If, however, a negotiable document of title has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the right of any purchaser for value in good faith to whom such document has been negotiated, whether such negotiation be prior or subsequent to the notification to the carrier, or other bailee who issued such document, of the seller's claim to a lien or right of stoppage in transitu.

## PART V

### ACTIONS FOR BREACH OF THE CONTRACT

#### REMEDIES OF THE SELLER

##### *Action for the Price.*

SEC. 63. (1) Where, under a contract to sell or a sale, the property in the goods has passed to the buyer, and the buyer

wrongfully neglects or refuses to pay for the goods according to the terms of the contract or the sale, the seller may maintain an action against him for the price of the goods. Action for the price

(2) Where, under a contract to sell or a sale, the price is payable on a day certain, irrespective of delivery or of transfer of title, and the buyer wrongfully neglects or refuses to pay such price, the seller may maintain an action for the price, although the property in the goods has not passed, and the goods have not been appropriated to the contract. But it shall be a defense to such an action that the seller at any time before judgment in such action has manifested an inability to perform the contract or the sale on his part or an intention not to perform it.

(3) Although the property in the goods has not passed, if they cannot readily be resold for a reasonable price, and if the provisions of section 64 (4) are not applicable, the seller may offer to deliver the goods to the buyer, and, if the buyer refuses to receive them, may notify the buyer that the goods are thereafter held by the seller as bailee for the buyer. Thereafter the seller may treat the goods as the buyer's and may maintain an action for the price.

*Action for Damages for Nonacceptance of the Goods.*

SEC. 64. (1) Where the buyer wrongfully neglects or refuses to accept and pay for the goods, the seller may maintain an action against him for damages for nonacceptance. Action for damages for non-acceptance of the goods

(2) The measure of damages is the estimated loss directly and naturally resulting, in the ordinary course of events, from the buyer's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages is, in the absence of special circumstances, showing proximate damage of a greater amount, the difference between the contract price and the market or current price at the time or times when the goods ought to have been accepted, or, if no time was fixed for acceptance, then at the time of the refusal to accept.

(4) If, while labor or expense of material amount are necessary on the part of the seller to enable him to fulfil his obligations under the contract to sell or the sale, the buyer repudiates the contract or the sale, or notifies the seller to proceed no further therewith, the buyer shall be liable to the seller for no greater damages than the seller would have suffered if he did nothing towards carrying out the contract or the sale after receiving notice of the buyer's repudiation or countermand. The profit the seller would have made if the contract or the sale had been fully performed shall be considered in estimating such damages.

*When Seller May Rescind Contract or Sale.*

SEC. 65. Where the goods have not been delivered to the buyer, and the buyer has repudiated the contract to sell or sale, or has manifested his inability to perform his obligations When seller may rescind contract or sale

thereunder, or has committed a material breach thereof, the seller may totally rescind the contract or the sale by giving notice of his election so to do to the buyer.

#### REMEDIES OF THE BUYER

##### *Action for Converting or Detaining Goods.*

Action for  
converting  
or detaining  
goods

SEC. 66. Where the property in the goods has passed to the buyer and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain any action allowed by law to the owner of goods of similar kind when wrongfully converted or withheld

##### *Action for Failing to Deliver Goods.*

Action for  
failing to  
deliver  
goods

SEC. 67. (1) Where the property in the goods has not passed to the buyer, and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain an action against the seller for damages for nondelivery.

(2) The measure of damages is the loss directly and naturally resulting in the ordinary course of events, from the seller's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages, in the absence of special circumstances showing proximate damages of a greater amount, is the difference between the contract price and the market or current price of the goods at the time or times when they ought to have been delivered, or, if no time was fixed, then at the time of the refusal to deliver.

##### *Specific Performance.*

Specific  
performance

SEC. 68. Where the seller has broken a contract to deliver specific or ascertained goods, a court having the powers of a court of equity may, if it thinks fit, on the application of the buyer, by its judgment or decree direct that the contract shall be performed specifically, without giving the seller the option of retaining the goods on payment of damages. The judgment or decree may be unconditional, or upon such terms and conditions as to damages, payment of the price, and otherwise, as to the court may seem just.

##### *Remedies for Breach of Warranty.*

Remedies for  
breach of  
warranty

SEC. 69. (1) Where there is a breach of warranty by the seller, the buyer may, at his election—

(a) Accept or keep the goods and set up against the seller, the breach of warranty by way of recoupment in diminution or extinction of the price;

(b) Accept or keep the goods and maintain an action against the seller for damages for the breach of warranty;

(c) Refuse to accept the goods, if the property therein has not passed, and maintain an action against the seller for damages for the breach of warranty;

(d) Rescind the contract to sell or the sale and refuse to receive the goods, or if the goods have already been received,

return them or offer to return them to the seller and recover the price or any part thereof which has been paid.

(2) When the buyer has claimed and been granted a remedy in any one of these ways, no other remedy can thereafter be granted. Remedies for  
breach of  
warranty

(3) Where the goods have been delivered to the buyer, he cannot rescind the sale if he knew of the breach of warranty when he accepted the goods, or if he fails to notify the seller within a reasonable time of the election to rescind, or if he fails to return or to offer to return the goods to the seller in substantially as good condition as they were in at the time the property was transferred to the buyer. But if deterioration or injury of the goods is due to the breach of warranty, such deterioration or injury shall not prevent the buyer from returning or offering to return the goods to the seller and rescinding the sale.

(4) Where the buyer is entitled to rescind the sale and elects to do so the buyer shall cease to be liable for the price upon returning or offering to return the goods. If the price or any part thereof has already been paid, the seller shall be liable to repay so much thereof as has been paid, concurrently with the return of the goods, or immediately after an offer to return the goods in exchange for repayment of the price.

(5) Where the buyer is entitled to rescind the sale and elects to do so, if the seller refuses to accept an offer of the buyer to return the goods, the buyer shall thereafter be deemed to hold the goods as bailee for the seller, but subject to a lien to secure the repayment of any portion of the price which has been paid, and with the remedies for the enforcement of such lien allowed to an unpaid seller by section 53.

(6) The measure of damages for breach of warranty is the loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty.

(7) In the case of breach of warranty of quality, such loss, in the absence of special circumstances showing proximate damage of a greater amount, is the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had answered to the warranty.

#### *Interest and Special Damages.*

SEC. 70. Nothing in this act shall affect the right of the buyer or the seller to recover interest or special damages in any case where by law interest or special damages may be recoverable, or to recover money paid where the consideration for the payment of it has failed. Interest and  
special  
damages

## PART VI

### INTERPRETATION

#### *Variation of Implied Obligations.*

SEC. 71. Where any right, duty, or liability would arise under a contract to sell or a sale by implication of law, it may Variation of  
implied  
obligations

be negatived or varied by express agreement or by the course of dealing between the parties, or by custom, if the custom be such as to bind both parties to the contract or the sale.

*Rights May Be Enforced by Action.*

Rights may  
be enforced  
by action

SEC. 72. Where any right, duty or liability is declared by this act, it may, unless otherwise by this act provided, be enforced by action.

*Rule for Cases Not Provided for by This Act.*

Rule for  
cases not  
provided for  
by this act

SEC. 73. In any case not provided for in this act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress, or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to contracts to sell and to sales of goods.

*Interpretation Shall Give Effect to Purpose of Uniformity.*

Interpreta-  
tion shall  
give effect to  
purpose of  
uniformity

SEC. 74. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it.

*Provisions Not Applicable to Mortgages.*

Provisions  
not  
applicable to  
mortgages

SEC. 75. The provisions of this act relating to contracts to sell and to sales do not apply, unless so stated, to any transaction in the form of a contract to sell or a sale which is intended to operate by way of mortgage, pledge, charge, or other security.

*Definitions.*

Definitions

SEC. 76. (1) In this act, unless the context or subject-matter otherwise requires—

“Action” includes counterclaim, set-off, and suit in equity.

“Buyer” means a person who buys or agrees to buy goods, or any legal successor in interest of such person.

“Defendant” includes a plaintiff against whom a right of set-off or counterclaim is asserted.

“Delivery” means voluntary transfer of possession from one person to another.

“Divisible contract to sell or sale” means a contract to sell or a sale in which by its terms the price for a portion or portions of the goods less than the whole is fixed or ascertainable by computation.

“Document of title to goods” includes any bill of lading, dock warrant, warehouse receipt, or order for the delivery of goods, or any other document used in the ordinary course of business, in the sale or transfer of goods, as proof of the possession or control of the goods, or authorizing or purporting to authorize the possessor of the document to transfer or receive, either by indorsement or by delivery, goods represented by such document.

“Fault” means wrongful act or default.



“Fungible goods” means goods of which any unit is from its nature or by mercantile usage treated as the equivalent of any other unit. Definitions

“Future goods” means goods to be manufactured or acquired by the seller after the making of the contract of sale.

“Goods” include all chattels personal other than things in action and money. The term includes emblements, industrial growing crops, and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.

“Order” in sections of this act relating to documents of title means an order by indorsement on the document.

“Person” includes a corporation or partnership, or two or more persons having a joint or common interest.

“Plaintiff” includes defendant asserting a right of set-off or counterclaim.

“Property” means the general property in goods, and not merely a special property.

“Purchaser” includes mortgagee and pledgee.

“Purchases” includes taking as a mortgagee or as a pledgee.

“Quality of goods” includes their state or condition.

“Sale” includes a bargain and sale as well as a sale and delivery.

“Seller” means a person who sells or agrees to sell goods, or any legal successor in the interest of such person.

“Specific goods” means goods identified and agreed upon at the time a contract to sell or a sale is made.

“Value” is any consideration sufficient to support a simple contract. An antecedent or preexisting claim, whether for money or not, constitutes value where goods or documents of titles are taken either in satisfaction thereof or as security therefor.

(2) A thing is done “in good faith” within the meaning of this act when it is in fact done honestly, whether it be done negligently or not.

(3) A person is “insolvent” within the meaning of this act who either has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due, whether he has committed an act of bankruptcy or not, and whether he is insolvent within the meaning of the federal bankruptcy law or not.

(4) Goods are in a “deliverable state” within the meaning of this act when they are in such a state that the buyer would, under the contract, be bound to take delivery of them.

*Act Does Not Apply to Existing Sales or Contracts to Sell.*

SEC. 76A. None of the provisions of this act shall apply to any sale, or to any contract to sell, made prior to the taking effect of this act.

Act does not  
apply to  
existing  
sales or  
contracts to  
sell

*No Repeal of Uniform Warehouse Receipt Act or Certain Other Named Acts.*

**No repeal of uniform warehouse receipt act or certain other named acts** SEC. 76B. Nothing in this act or in any repealing clause thereof shall be construed to repeal or limit any of the provisions of the act to make uniform the law of warehouse receipts, or what is known as the bulk sales act, being sections 3908 to 3912, inclusive, of the Revised Laws of Nevada, or the law relating to the mortgage of personal property.

*Inconsistent Legislation Repealed.*

**Inconsistent legislation repealed** SEC. 77. All acts or parts of acts inconsistent with this act are hereby repealed, except as provided in section 76b.

*Time When the Act Takes Effect.*

**Time when the act takes effect** SEC. 78. This act shall take effect on the first day of April, one thousand nine hundred and fifteen.

*Name of Act.*

**Name of act** SEC. 79. This act may be cited as the Uniform Sales Act.

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*CHAP. 160—An Act to pay the deficiency in the appropriation made to the state agricultural society for the year 1914.*

[Approved March 18, 1915]

**Preamble** WHEREAS, The state agricultural society incurred an indebtedness of thirty-five hundred dollars on conducting a state fair during the year 1914 over and above the appropriation made by the State of Nevada for that year:

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**Appropriation, \$3,500** SECTION 1. The sum of thirty-five hundred dollars is hereby appropriated, out of any moneys in the general fund of the state, for the payment of the deficiency in the appropriation made to the state agricultural society for the year 1914.

**Duties of controller and treasurer** SEC. 2. The state controller is hereby directed to draw his warrant in favor of the president of the board of directors of the state agricultural society for the sum of thirty-five hundred dollars specified in this act, and the state treasurer is directed to pay the same.

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*CHAP. 161—An Act to amend "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 285 of the above-entitled act, same being section 5227, Revised Laws of Nevada, 1912, is hereby amended to read as follows:

Section 285. Upon a trial of a question of fact by the court, its decision must be given within thirty days after the cause is submitted for decision. The court may, however, at any time before a notice of appeal is served and filed, or before a motion for a new trial is ruled upon, if such motion is made, add to or modify the findings in any respect, so as to make the same conform to the issues presented by the pleadings, and to the evidence adduced at the trial. No such additions to, or modifications of, the findings shall be made unless a notice in writing specifying generally the additions or modifications desired shall have been served on the adverse party or his attorney of record.

Question of fact must be decided by court within 30 days

CHAP. 162—*An Act to pay a deficiency in the appropriation for the support of the state fish commission, for the years nineteen thirteen and nineteen fourteen.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of forty-four hundred and sixteen dollars and seventy cents (\$4,416.70) is hereby appropriated, out of any moneys in the general fund of the state, for the payment of this deficiency in the appropriation for the support of the state fish commission, for the years nineteen thirteen and nineteen fourteen, as follows: May, 1914, \$436; June, \$438.45; July, \$626.02; August, \$566; September, \$495.64; October, \$561.23; November, \$515.90; December, \$777.46.

\$4,416.70 for relief of fish commission

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the state fish commission for the several amounts specified in this act, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 163—*An Act to amend section 405 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 405 of said act is amended so as to read as follows:

Section 405. If the appeal be from a judgment or order directing the payment of money, or from an order dissolving or refusing to dissolve an attachment, it shall not stay the execution of the judgment or order unless a written undertaking be executed on the part of the appellant, by two or more sufficient sureties, stating their place of residence and occupation, to the effect that they are bound in double the amount named

Appeal not to stay execution unless sureties filed

Appeal not  
to stay  
execution,  
when

Regulations  
regarding  
undertaking

in the judgment or order, or double the sum of the value of the property attached, as the case may be; that if the judgment or order appealed from, or any part thereof, be affirmed, or such appeal be dismissed, the appellant shall pay the amount directed to be paid by the judgment or order, or the part of such amount as to which the judgment or order shall be affirmed, if affirmed only in part, and all damages and costs which shall be awarded against the appellant upon the appeal, and that if the appellant does not make such payment within thirty days after the filing of the remittitur from the supreme court, in the court in which the appeal is taken, judgment may be entered on motion of the respondent, in his favor against the sureties for such amount, together with the interest that may be due thereon and the damages and costs which may be awarded against the appellant upon the appeal. When the judgment or order appealed from is made payable in a specified kind of money or currency, the undertaking required by this section shall be drawn and made payable in the same kind of money or currency specified in said judgment or order, and in case of any appeal from an order dissolving or refusing to dissolve an attachment, such undertaking shall be conditioned that if the order appealed from or any part thereof be affirmed, the appellant shall pay to the opposing party, on such appeal, all damages and costs caused by him by reason of said appeal and the stay of execution thereon.

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CHAP. 164—*An Act for the relief of the Gray, Reid, Wright company.*

[Approved March 18, 1915]

Preamble

WHEREAS, During the years 1911 and 1912 the Gray, Reid, Wright company of Reno, Nevada, did furnish to the Nevada state prison a quantity of supplies for which there is an unpaid balance of sixty-one and  $\frac{31}{100}$  (\$61.31) dollars due to said company, which amount was not paid because the apportionment for said institution for said years was exhausted, or the balance had reverted to the general fund: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$61.31

SECTION 1. For the payment of the above-mentioned claim, the state controller is hereby authorized to issue his warrant to the Gray, Reid, Wright company of Reno, Nevada, for the sum of sixty-one and  $\frac{31}{100}$  (\$61.31) dollars, and the state treasurer is directed to pay the same.

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CHAP. 165—*An Act regulating appropriations and to prevent state officials and the chiefs or heads of boards, bureaus, commissions, departments, or institutions of the State of Nevada from exceeding the appropriations made by the legislature for their support, or for the support and benefit of such boards, bureaus, commissions, departments, and institutions.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sums appropriated for the various branches of expenditure in the public service of the state shall be applied solely to the objects for which they are respectively made, and for no others. Appropriations applied specifically

SEC. 2. It shall be unlawful for any state official, or any chairman, chief, or head of any board, bureau, commission, department, or institution of the State of Nevada to incur any outlay or expenditure in excess of the appropriation or appropriations made by the legislature for the support, use, and benefit of such official, board, bureau, commission, department, or institution, except in cases of extreme emergency, and then only by the unanimous vote of the state board of examiners. Deficiency created only by unanimous vote of state board of examiners

SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than fifty dollars nor more than three hundred dollars. Penalty

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CHAP. 166—*An Act to provide for the printing and distribution of the farmers' and homeseekers' bulletins hitherto issued by the bureau of industry, agriculture and irrigation, and other matters relating thereto.*

[Approved March 18, 1915]

WHEREAS, The displays of the resources of Nevada at the San Francisco and San Diego expositions are expected to result in a large number of requests for literature relative to the agricultural resources and opportunities for homeseekers in Nevada; and Bulletins for the expositions

WHEREAS, The several farmers' and homeseekers' bulletins of the Nevada bureau of industry, agriculture and irrigation, hitherto issued, are admirably adapted to answer such inquirers and secure such homeseekers; and

WHEREAS, The available number on hand of such publications is inadequate to meet such demand: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. On and after April 1, 1915, the state engineer shall receive all mail addressed to the bureau of industry,

Inquiries  
from  
prospective  
settlers, how  
answered

agriculture and irrigation, immigration department, commissioner of agriculture, or similar designations, and where the same is a request for any bulletin hitherto issued by such bureau, or may be answered by the subject-matter of any such bulletin, he shall mail or cause to be mailed the same to such address. When any such inquiry can best be answered by any department of the University of Nevada or of the state government, he shall refer such correspondence to such department for reply.

State printer  
to print,  
when

SEC. 2. The state printer, on the order of the state engineer certifying that the copies for distribution of any such bulletin are exhausted or substantially exhausted, shall reprint such number of copies thereof as the state engineer with the approval of the state board of examiners may order, not exceeding ten thousand, and deliver the same to the state engineer.

Immigration  
fund created

SEC. 3. All furniture, office equipment, and other property of the bureau of industry, agriculture and irrigation, after April 1, 1915, shall be sold by the state board of capitol commissioners, and the proceeds of such sale shall be deposited in the state treasury in a fund to be known as the immigration fund, and none of such property shall be transferred temporarily or permanently to any other department of the state government except at its reasonable market value and in pursuance of chapter 187, Statutes of 1913, and in such instance the state engineer is authorized to receipt for the warrant provided for in section 2 of said chapter. All moneys in said immigration fund shall be subject to disbursement, exclusively, in payment for postage, envelopes, stationery, and wrappers, used in distributing the publications herein mentioned, and for the purchase of new cuts for illustrations, or colored covers when necessary, and all disbursements from immigration fund shall be on certificates of the state engineer, approved by the state board of examiners, and paid as other claims against the state are paid.

How  
disbursed

Half price  
for  
literature; to  
go to state  
printing  
office fund

SEC. 4. Any person, company, corporation, or association engaged in colonizing lands in Nevada may apply for, and be entitled to receive, such number of copies of any such publication as desired, on payment to the state of one-half the actual cost of the publication thereof; and all moneys so paid shall be deposited in the state treasury to the credit of the appropriation in support of the state printing office.

Repeal

SEC. 5. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.



CHAP. 167—*An Act appropriating fifty dollars out of the legislative fund of the twenty-seventh session of the Nevada legislature, to be paid to James Reid, porter of the senate, and William Lear, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-seventh session.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of fifty dollars is hereby appropriated out of the legislative fund of the twenty-seventh session of the Nevada legislature, of which twenty-five dollars is to be paid to James Reid, porter of the senate, and twenty-five dollars to be paid to William Lear, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-seventh session. \$50 for porters of assembly and senate

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the persons above named for the amounts specified in this act only upon the certificate of the secretary of state that the legislative chambers have been cleaned and put in order, and the state treasurer is hereby directed to pay the same. Duties of controller and treasurer

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CHAP. 168—*An Act for the relief of Thomas J. Edwards.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of seventy-one and  $\frac{45}{100}$  dollars is hereby appropriated, out of any funds not otherwise provided, for the relief of Thomas J. Edwards, clerk of the United States district court for the district of Nevada, the said sum being for fees due to said Thomas J. Edwards, accrued in various cases in the said court, in which the railroad and public service commissions of Nevada were parties. Relief of T. J. Edwards—\$71.45

SEC. 2. Upon presentation of claims for the above amount, duly approved by the state board of examiners, the state controller is authorized and directed to draw his warrant for said amount, and the state treasurer is likewise authorized and directed to pay the same. Board of examiners to approve

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**CHAP. 169—*An Act concerning minor inmates of the Nevada state prison.***

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Minors in  
state prison  
may be sent  
to school of  
industry

SECTION 1. The board of parole commissioners of this state is authorized, in its discretion, to transfer to the Nevada school of industry any minor persons who are now, or hereafter may be, inmates of the Nevada state prison.

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**CHAP. 170—*An Act fixing the salaries and compensation of the deputy state controller, deputy state treasurer, and deputy surveyor-general, and repealing all acts and parts of acts in conflict herewith.***

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Raising  
salary of  
deputy  
controller,  
deputy  
treasurer,  
and deputy  
surveyor-  
general

SECTION 1. From and after the passage of this act the deputy state controller shall receive a salary of twenty-four hundred (\$2,400) dollars per annum; the deputy state treasurer shall receive a salary of twenty-four hundred (\$2,400) dollars per annum; and the deputy surveyor-general shall receive a salary of twenty-four hundred (\$2,400) dollars per annum, payable out of the state school fund. All the foregoing salaries shall be paid in equal monthly installments, as the salaries of other state officers are paid.

Repeal

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

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**CHAP. 171—*An Act for the relief of sundry persons for expenses incurred by the Nevada tax commission during the years 1913-1914, under authority of the state board of examiners, by resolution dated April 2, 1914.***

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Deficiencies  
for tax  
commission;  
parties and  
sums named

SECTION 1. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of three thousand eight hundred and eighty-nine dollars and thirty-nine cents (\$3,889.39), to be paid as follows: Will Knippenberg, \$345; Thos. F. O'Brien, \$400; W. T. Moran, \$310; J. E. Monahan, \$640.25; C. C. Taylor, \$417.65; Nellie B. Milligan, \$750; George D. Smith, \$97.50; E. D. Bowles, \$21.75; C. J.

Young, \$25; J. A. Barry, \$180; Western Union telegraph company, \$114.07; Truckee River general electric company, \$7; Nevada Consolidated telephone and telegraph company, \$55.09; Mrs. K. A. Raftice, \$21.15; the White company, \$15.87; Nevada printing company, \$17; F. L. Wildes, receiver, \$180; C. H. Colburn, \$8.60; Emmet D. Boyle, \$154.05; Wells, Fargo & Co., \$8.16; Erle R. White, \$4; Southern Pacific company, \$90; William M. Heidenreich, \$1.50; Nevada Press company, \$7.50; J. A. Muller, \$2.10; Kitzmeyer's drug store, 90 cents; F. L. Winter, 25 cents; Green, Stalnaker & Lake, \$3; Remington Type-writer company, \$7; National tax association, \$5.

SEC. 2. The state controller is hereby directed to draw his warrant for the several amounts, payable to the several parties named in section 1 of this act, and the state treasurer is hereby directed to pay the same. Duties of controller and treasurer

CHAP. 172—*An Act to transfer to the state general fund sundry items now standing to the credit of various other funds on the books of the state controller.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby directed to transfer to the state general fund the amounts set opposite the following special funds, as they now appear upon his books: Nevada state police, horses, \$2,462; state prison, buildings, \$73,945.80; state prison, repairing walls, \$11,856.70; state prison, new building and grounds, \$99,089.65; state prison, machinery, \$43,396.25; state land office, filing-cases, \$2.73; concrete floor, basement of library, \$8.22; governor's mansion, additional lands, \$1,000; Carey act, support, \$100; mine inspector, helmets, \$388.19; hydrographic surveys, \$5,000; Lincoln County, relief, \$4,486.90. Certain sums transferred to state general fund

CHAP. 173—*An Act to create a fund to be known as the "University Revolving Fund," and appropriating money therefor.*

[Approved March 18, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There is hereby appropriated from the money coming into the treasury of the State of Nevada, which by force of statute, tax, or otherwise, is intended for the support of the University of Nevada or any of its departments, the sum of \$20,000, to be known as the "University Revolving Fund." Upon the written request of the board of regents of the University of Nevada, the controller of the State of Nevada is hereby directed and authorized to draw his warrant in favor of the University revolving fund created

\$20,000  
appropriated

board of regents of the University of Nevada for said sum of \$20,000, and upon presentation of the same to the treasurer of the State of Nevada the said treasurer of the State of Nevada is hereby directed and authorized to pay said sum of \$20,000 to said board of regents.

For current  
expenses of  
university  
only

SEC. 2. Said "University Revolving Fund" shall be used by said board of regents for the purpose of paying the current expenses of maintaining and conducting the said university, and for no other purpose; and all bills or demands paid by said board of regents from said fund shall, after payment thereof, be passed upon by the state board of examiners in the same manner as other claims against the State of Nevada, and when approved by said board of examiners the controller shall draw his warrant for the amount of such claim or claims, in favor of the university revolving fund, to be paid to the order of the board of regents.

CHAP. 174—*An Act for the relief of the Nevada printing company, publishers Carson City Daily Appeal.*

[Approved March 18, 1915]

Preamble

WHEREAS, The Nevada printing company, publishers of the Carson City Daily Appeal, did in the month of March, 1914, under orders of Geo. B. Thatcher, attorney-general of the State of Nevada, print one twenty-eight-page brief and eighty additional copies thereof for the use of the said attorney-general in the case entitled Johannes Anderson v. State Engineer of the State of Nevada;

AND WHEREAS, The said claim has been examined and allowed by the board of examiners of the State of Nevada in the amount of forty (\$40) dollars; and

WHEREAS, The said claim is a just and legal claim against the State of Nevada, and should be paid: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$40

SECTION 1. The state controller is hereby directed to draw his warrant in favor of the said Nevada printing company in the sum of (\$40) dollars, and the state treasurer is directed to pay the same.

CHAP. 175—*An Act for the relief of the board of school trustees of school district No. 1 of Storey County, in Gold Hill, Nevada.*

[Approved March 19, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of three hundred dollars is hereby appropriated, out of any moneys in the general fund of the

state not otherwise appropriated, for the relief of the board of school trustees of school district No. 1 of Storey County, in Gold Hill, Nevada. The controller is hereby directed to draw his warrant for said sum of three hundred dollars in favor of said board of school trustees, and the state treasurer is directed to pay the same.

\$300 for relief of Gold Hill school trustees

CHAP. 176—*An Act to provide for the maintenance and operating of the state agricultural experiment farm, situated at Logan, Clark County, Nevada, for the years 1915 and 1916.*

[Approved March 19, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of maintaining and operating the state agricultural experiment farm, located at Logan, Clark County, Nevada, for the years 1915 and 1916, the sum of ten thousand dollars is hereby appropriated out of any money in the general fund not otherwise appropriated.

\$10,000 for Logan experiment farm

SEC. 2. The state controller is hereby directed to draw his warrants upon the state treasurer in favor of the claimants under this appropriation, when their claims have been approved by the board of control and by the state board of examiners, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 177—*An Act making appropriations for the support of the civil government of the State of Nevada for the years 1915-1916.*

[Approved March 19, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The following sums are hereby appropriated for the purpose hereinafter expressed, and for the support of the government of the State of Nevada for the years 1915-1916:

General appropriations for 1913-1914

SEC. 2. Governor's Office.	From General Fund	From State School Fund	From General School Fund	
For the salary of the governor...	\$14,000.00			Governor's office
For the salary of the governor's private secretary .....	4,800.00			
For the salary of the clerk in the governor's office .....	2,400.00			
For actual traveling expenses of the governor .....	1,200.00			
For repairs to the governor's mansion .....	200.00			
For payment of annual dues to governors' conference .....	300.00			
For maintenance of governor's mansion .....	2,000.00			

		From General Fund	From State School Fund	From General School Fund
	SEC. 3. <i>Lieutenant-Governor and Adjutant-General's Office.</i>			
Lieutenant-governor's office	For salary of lieutenant-governor and adjutant-general .....	\$7,200.00		
	For care, transfer, transportation, and insurance of military property while in the keeping of the State of Nevada, for clerical and stenographic assistance when necessary, for traveling expenses of the adjutant-general or official detailed by him, and for contingent expenses of the adjutant-general's office .....	2,000.00		
	SEC. 4. <i>Secretary of State's Office.</i>			
Secretary of state's office	For salary of secretary of state ..	\$7,200.00		
	For salary of deputy secretary of state .....	4,800.00		
	For salary of clerk in office of secretary of state .....	4,000.00		
	For salary of typist in office of secretary of state .....	2,400.00		
	For salary of typist and stenographer in office of secretary of state .....	2,400.00		
	SEC. 5. <i>Attorney-General and Mineral Land Commissioner's Office.</i>			
Attorney-general's office	For salary of attorney-general ..	\$7,200.00		
	For salary of mineral land commissioner .....	2,800.00		
	For salary of deputy attorney-general .....	4,800.00		
	For salary of typist in office of attorney-general .....	2,400.00		
	For actual traveling expenses of attorney-general .....	1,200.00		
	For contingent expenses of the attorney-general .....	1,000.00		
	SEC. 6. <i>State Controller's Office.</i>			
State controller's office	For salary of state controller ..	\$7,200.00		
	For salary of deputy state controller .....	4,800.00		
	For salary of typist in office of state controller .....	2,400.00		
	For new records in office of state controller .....	300.00		
	For new equipment in office of state controller .....	1,000.00		



	From General Fund	From State School Fund	From General School Fund
For enforcement and collection of state revenue and protec- tion of state funds.....	\$1,000.00		
SEC. 7. <i>State Treasurer's Office.</i>			
For salary of state treasurer ---	\$7,200.00		State treasurer's office
For salary of deputy state treas- urer .....	4,800.00		
For salary of clerk in office of state treasurer .....	2,400.00		
For new equipment in office of state treasurer .....	4,500.00		
SEC. 8. <i>Surveyor-General's Office.</i>			
For the salary of the surveyor- general .....	\$7,200.00		Surveyor- general's office
For the salary of the deputy sur- veyor-general .....	4,800.00		
For the salary of draughtsman in office of surveyor-general .....	4,000.00		
For the salary of typist in the surveyor-general's office .....	2,400.00		
For the salary of clerk in the office of the surveyor-general and for transcribing records .....	4,000.00		
For the purchase of township plats for office of surveyor- general .....	300.00		
SEC. 9. <i>Inspector of Mines' Office.</i>			
For the salary of the inspector of mines .....	\$7,200.00		Inspector of mines
For the salary of the deputy inspector of mines .....	4,800.00		
For actual traveling and office expenses of inspector of mines ..	7,000.00		
For emergency fund for safety and rescue apparatus .....	500.00		
SEC. 10. <i>Superintendent of State Printing.</i>			
For salary of superintendent of state printing .....	\$7,200.00		Superin- tendent of state printing
For salary of bookkeeper in state printing office .....	2,400.00		
For support of state printing office, to be expended under direction of state printer .....	44,000.00		
For bookbinding, to be expended under direction of state printer ..	6,000.00		
For new material and repairs of the state printing office .....	1,500.00		

		From General Fund	From State School Fund	From General School Fund
	SEC. 11. <i>Superintendent of Public Instruction.</i>			
Superin- tendents of public instruction	For salary of superintendent of public instruction-----			\$7,200.00
	For salary of typist in office of superintendent of public in- struction -----			2,400.00
	For actual traveling expenses of the superintendent of public instruction -----			1,500.00
	For the expense of conducting the teachers' examinations, grading the papers, and pay- ment of individual expenses--	\$1,500.00		
	For expenses of teachers' insti- tute -----	1,000.00		
	SEC. 12. <i>Bank Examiner and Banking Board.</i>			
Bank examiner	For salary of bank examiner---	\$8,000.00		
	For actual traveling and office expense of bank examiner and banking board-----	3,000.00		
	For salary of clerk of state bank examiner and clerk of adju- tant-general -----	3,600.00		
	SEC. 13. <i>Railroad Commisison.</i>			
Railroad commisison	For the salary of the railroad commission -----	\$23,000.00		
	For the salary of the secretary of the railroad commission-----	4,800.00		
	For general expenses of the rail- road commission-----	10,000.00		
	SEC. 14. <i>Public Service Commission.</i>			
Public service commission	For salary of engineer of the public service commission ---	\$5,000.00		
	For general expenses of the public service commission ---	4,500.00		
	For salary of secretary -----	1,200.00		
	SEC. 15. <i>Tax Commission.</i>			
Tax commission	For the salary of the tax com- mission -----	\$7,000.00		
	SEC. 16. <i>Fish Commission.</i>			
Fish commission	For support of Nevada state fish commission -----	\$10,000.00		
	SEC. 17. <i>Board of Health.</i>			
Board of health	For salary of secretary of state board of health-----	\$3,000.00		
	For support of state board of health -----	3,500.00		

	From General Fund	From State School Fund	From General School Fund	
SEC. 18. <i>Nevada State Police.</i>				
For the support of the Nevada state police-----	\$17,500.00			State police
SEC. 19. <i>State Engineer.</i>				
For the salary of the state engineer-----	\$7,200.00			State engineer
For the salary of the assistant engineer-----	4,800.00			
For the support of the department of the state engineer---	29,000.00			
SEC. 20. <i>State Prison.</i>				
For the salary of the warden of the state prison-----				State prison
For the salary and subsistence of the guards called "Death Watch" and care of condemned prisoners under sentence of death-----	\$5,000.00			
For improvements, repairs, machinery, and stock for old prison and prison farm-----	20,000.00			
For miscellaneous repairs at the Nevada state prison-----	2,000.00			
For payment of convicts for labor performed according to law-----	2,000.00			
For the support of the Nevada state prison-----	127,800.00			
SEC. 21. <i>Nevada Hospital for Mental Diseases.</i>				
For the salary of the superintendent of the Nevada hospital for mental diseases-----	\$4,800.00			Hospital for mental diseases
For repairs and improvements on buildings of hospital for mental diseases-----	2,500.00			
For relief of discharged patients from hospital for mental diseases-----	300.00			
For chaplains at hospital for mental diseases-----	720.00			
For books and support of library at hospital for mental diseases--	200.00			
For new equipment for hospital for mental diseases-----	4,000.00			
For support of the hospital for mental diseases-----	97,400.00			

		From General fund	From State School fund	From General School fund
	SEC. 22. <i>State Orphans' Home.</i>			
State orphans' home	For the salary of superinten- dent and matron of the state orphans' home -----	\$4,800.00		
	For repairs and improvements on buildings of the state or- phans' home -----	2,000.00		
	For salary of physician at state orphans' home -----	1,800.00		
	For installation of hospital room and equipment for the segre- gation of contagious diseases --	1,000.00		
	For education of the children of the orphans' home in the Carson public schools -----	3,000.00		
	For periodicals for the orphans' home -----	100.00		
	For support of the state orphans' home -----	38,000.00		
	SEC. 23. <i>Historical Society.</i>			
Historical society	For the support of the historical society -----	\$5,000.00		
	SEC. 24. <i>Miscellaneous.</i>			
Miscella- neous	For salary of janitor -----	\$2,600.00		
	For salary of watchmen -----	5,280.00		
	For salary of gardener -----	2,600.00		
	For salary of fireman -----	2,600.00		
	For stationery, fuel, and light for state offices and state build- ings and grounds -----	10,000.00		
	For current expenses, telegraph and contingent for the state officers, supreme court, and state library, and for trans- portation of state property ---	10,000.00		
	For expenses of capitol and state printing buildings, grounds, and water-works -----	3,000.00		
	For repairs and improvements on capitol building -----	6,000.00		
	For payment of rewards offered by the governor -----	2,000.00		
	For election expenses -----	1,200.00		
	For expenses incurred in the examination of the accounts of state officers, for expert accountants -----	2,400.00		

	From General fund	From State School fund	From General School fund	Mis- cellaneous
For cooperative irrigation inves- tigation fund, to be expended by the state engineer and the University of Nevada in con- junction with the United States department of agriculture.....	\$4,000.00			
For cooperative water resources fund, to be expended by the state engineer in conjunction with the United States geolog- ical survey .....	5,000.00			
SEC. 25. <i>Supreme Court.</i>				Supreme court
For salary of the judges of the supreme court .....	\$36,000.00			
For salary of official reporter of the supreme court.....	3,000.00			
For salary of two stenographers in the supreme court.....	6,000.00			
For salary of bailiff of the su- preme court .....	300.00			
For indexing and compiling Nevada Reports (vol. 37).....	700.00			
For printing and binding Ne- vada Reports (37, 38, and 39) ..	5,400.00			
SEC. 26. <i>Clerk of the Supreme Court.</i>				Clerk of supreme court
For the salary of the clerk of the supreme court .....	\$6,000.00			
For the salary of the deputy clerk of the supreme court....	450.00			
For salary of stenographer in office of clerk of supreme court .....	1,050.00			
For salary of reporter of decisions in office of clerk of the su- preme court .....	600.00			
For express charges for forward- ing exhibits and returning records in state cases.....	50.00			
For new equipment for office of clerk of the supreme court....	500.00			
For publication of supreme court decisions and official advertis- ing .....	5,400.00			
For purchase of typewriter for office of clerk of the supreme court .....	100.00			
SEC. 27. <i>District Judges.</i>				District judges
For actual traveling and necessary expenses of district judges....	\$11,000.00			

Deputy  
superin-  
tendents of  
public  
instruction

SEC. 28. *Deputy Superintendents of Public Instruction.*

	From General fund	From State School fund	From General School fund
For salary of deputy superintend- ent of public instruction, dis- trict No. 1-----	\$4,000.00		
For actual traveling expenses of deputy superintendent of pub- lic instruction, district No. 1_	1,000.00		
For office expenses of deputy su- perintendent of public instruc- tion, district No. 1-----	650.00		
For salary of deputy superintend- ent of public instruction, dis- trict No. 2-----	4,000.00		
For actual traveling expenses of deputy superintendent of pub- lic instruction, district No. 2_	1,500.00		
For office expenses of deputy su- perintendent of public instruc- tion, district No. 2-----	650.00		
For salary of deputy superintend- ent of public instruction, dis- trict No. 3-----	4,000.00		
For actual traveling expenses of deputy superintendent of pub- lic instruction, district No. 3_	1,000.00		
For office expenses of deputy su- perintendent of public instruc- tion, district No. 3-----	650.00		
For salary of deputy superintend- ent of public instruction, dis- trict No. 4 -----	4,000.00		
For actual traveling expenses of deputy superintendent of pub- lic instruction, district No. 4_	1,500.00		
For office expenses of deputy su- perintendent of public instruc- tion, district No. 4-----	800.00		
For salary of deputy superintend- ent of public instruction, dis- trict No. 5-----	4,000.00		
For actual traveling expenses of deputy superintendent of pub- lic instruction, district No. 5_	1,500.00		
For office expenses of deputy su- perintendent of public instruc- tion, district No. 5 -----	800.00		



	From General Fund	
SEC. 29. <i>Miscellaneous Educational.</i>		
For text-book commission.....	\$500.00	Miscella- neous educational
For tuition and support of deaf and blind .....	6,000.00	
For care and education of feeble- minded children .....	500.00	
SEC. 30 <i>University of Nevada.</i>		
For the support of public service department of the University of Nevada, including state ana- lytical laboratory, state hy- gienic laboratory, food and drugs control and weights and measures, soil laboratory, vet- erinary control, Smith-Lever extension and experiment sta- tion .....	20,500.00	University of Nevada
For purchase of the Evans tract of land .....	7,837.50	
SEC. 31. <i>Tonopah School of Mines.</i>		
For salary of teacher of Tonopah school of mines .....	\$4,500.00	Tonopah school of mines
For support of Tonopah school of mines.....	750.00	
SEC. 32. <i>Virginia School of Mines.</i>		
For salary of teacher of Virginia school of mines.....	\$4,000.00	Virginia school of mines
For support of Virginia school of mines .....	1,200.00	
SEC. 33. <i>Bureau of Industry, Agriculture and Irrigation.</i>		
For expenses of bureau of indus- try, agriculture and irrigation_	\$100.00	Bureau of industry, etc.
SEC. 34. <i>Commission on Uniform Laws.</i>		
For support of commission on uniform laws .....	\$300.00	Commission on uniform laws
SEC. 35. <i>State Board of Investment.</i>		
For auditing state school bonds and securities .....	\$2,500.00	State board of investment
SEC. 36. <i>Nevada Industrial Insurance Commission.</i>		
For payment of premiums of state officers and employees.....	\$3,500.00	Nevada industrial insurance commission
SEC. 37.		
For salary of Volney B. Cross as assistant gardener for the capi- tol grounds, at the rate of five hundred dollars per annum, payable monthly .....	\$1,000.00	V. B. Cross, assistant gardener

CHAP. 178—*An Act to provide revenue for the support of the government of the State of Nevada and to repeal all acts and parts of acts in conflict herewith.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

*Billiard, Bowling Alley, Theater License, Etc.*

Relating to  
licenses

SECTION 1. The sheriff of each of the several counties shall be ex officio collector of licenses as provided in this act. There shall be levied and collected the following licenses:

Billiards,  
pool,  
bowling

First—For each billiard or pool table operated, if not kept for the exclusive use of the party operating the same, or his family, \$5 per quarter-year; for a ninepin or tenpin, or bowling alley, \$10 per quarter-year, whether a direct charge is made for playing at such billiards, pool or bowling, or not; such licenses to be granted for each quarter or fractional quarter as hereinafter provided.

Theaters,  
etc.

Second—For each theater, opera house, or amusement hall, during all of the time the same is being conducted for business, \$5 per day if granted for a term less than one month; if granted for one month, \$20 for the said month; if granted for one quarter-year, the sum of \$40 for said quarter-year; if granted for one year, the sum of \$75 for said year; *provided, however*, that there shall be no license fee had or collected for conducting any theater, opera house, or amusement hall in any city, or incorporated town or unincorporated town in this state in which at any time subsequent to the passage of this act less than 300 votes were polled at the then last preceding general election; and for each exhibition of circus, caravan, or menagerie, or any collection of animals for public amusement, except such as are permanently located in the public parks or zoological gardens, conducted under the auspices of a scientific society, the sum of \$20 each; and for such exhibitions or entertainments for profit or gain as are not hereinbefore enumerated, \$10 per day.

No license  
in town with  
less than  
300 voters

*Cigarette License.*

Cigarettes

SEC. 2. Any person, firm, association or corporation engaged in dealing, in selling, giving away, or offering to sell cigarettes or cigarette paper after the passage of this act shall take out a quarterly license therefor (or fractional quarterly license as hereinafter provided). The cost of such license shall be fifteen dollars (\$15) per quarter-year.

It shall be unlawful for any person or persons, firm, association, corporation, or managing agent of any person, firm, association, or corporation to sell, give away, or offer to sell cigarettes or cigarette paper to any person or persons under the age of twenty-one years, and any person, firm, association, or corporation, or the managing agent of any person, firm,

association, or corporation violating the provisions of this section shall be guilty of a misdemeanor.

*County Liquor License.*

SEC. 3. Any person or persons who may dispose of any spirituous, malt, or fermented liquors or wines, in less quantities than one quart, within the confines, or within one mile thereof, of any city or town shall, before the transaction of any such business take out a county license from the sheriff of the county in which he or she proposes to do such business, and pay therefor the sum of thirty dollars per quarter-year, or proportionate amount for fractional quarter as hereinafter provided; *provided*, that all persons engaged in retailing liquors as aforesaid, in connection with the entertainment of travelers, at any point distant one mile or more outside the limits of any city or town in this state, shall pay a quarterly license of fifteen dollars, or proportionate amount for fractional quarter as hereinafter provided; *and provided further*, that no such person or persons shall be entitled, under and by virtue of said license, to sell or cause to be sold within this state, any such spirituous, malt, or fermented liquors or wines, on any day upon which any general election is held, or within the limits of any county or city on any day upon which any special or municipal election is held therein, but it shall be expressed in each and every license so granted that the person or persons to whom the same is granted shall and will not sell, or cause to be sold, any such liquors or wines on such day or days.

*Rural Liquor License.*

SEC. 4. Any person outside of an incorporated city or town wishing to engage in the liquor traffic in any county in the State of Nevada shall first make application by petition to the liquor board, as provided for in section 6 [5] of this act, of the county in which he proposes to engage in the liquor business for a county liquor license of the kind and class desired, and file the same with the required liquor license fee with the county license collector, who shall present the same to said liquor board at their next regular meeting, and they may refer the petition to the sheriff, who shall report the same at the following regular meeting, and the board shall then and there grant or refuse the license prayed for; *provided*, that the sheriff may, in his discretion, grant a temporary permit to such applicant pending action of the liquor board.

*Liquor Board.*

SEC. 5. The board of county commissioners of their respective counties in the State of Nevada are hereby authorized, empowered, and commissioned, for the purpose of this act, to act (without further compensation) as a liquor board to grant or refuse liquor licenses, and to revoke the same whenever

Proviso

there is, in their judgment, sufficient reason for such revocation; *provided*, all liquor dealers within any incorporated city or town are to be regulated only by the city government thereof. A majority vote of the liquor board shall govern the granting or refusing any liquor license or the revoking of the same.

*State Liquor License.*

State liquor license

SEC. 6. Every person, firm, company, or corporation manufacturing or selling, either at retail or wholesale, any spirituous, malt, or vinous liquors, shall, in addition to other licenses provided by law, take out a state liquor license as hereinafter provided, which license shall not be transferable by sale, assignment, or otherwise.

*Controller to Provide Blank State Liquor License Forms.*

State controller provides blank licenses

SEC. 7. The state controller is hereby authorized and required to have printed blank licenses in sufficient quantities to supply all of the counties of this state, duly numbered and bound together in convenient form; said licenses to generally conform in words and blank lines to the following, to wit:

Form of state license

\$..... STATE OF NEVADA LIQUOR LICENSE No.....  
..... County, Nevada,  
....., 19....

This certifies that ..... has paid ..... (\$.....) dollars state liquor license, which entitles him, upon the payment of other licenses provided by law, to carry on the business of (retailing or wholesaling, as the case may be) spirituous, malt, and vinous liquors in ....., in the county of ....., State of Nevada, for the year ending ....., 19...., unless this or the other licenses provided by law be revoked by authority of law.

.....  
Sheriff of ..... County, Nevada.  
....., State Controller.  
....., County Auditor.

*Sheriff to Issue State Liquor License.*

Sheriff to issue

SEC. 8. The sheriffs of the respective counties, as ex officio collectors of licenses, shall issue and collect all state liquor licenses, and shall, upon the payment of one hundred (\$100), issue a retail state liquor license to any person, firm, company, or corporation engaged in selling spirituous, malt, or vinous liquors in quantities less than five gallons, and the word "Retail" shall be written in red ink across the face of such license; *provided*, that retail drug stores shall not be required to pay more than twenty-five dollars per annum for such retail state liquor license when the liquors disposed of by such drug stores are for medicinal purposes only and on the prescription of a regularly licensed and practicing physician.

Retail  
Drug stores

*Wholesale State Liquor License.*

SEC. 9. Any person, firm, company, or corporation dis-

disposing of spirituous, malt, or vinous liquors in quantities in excess of five gallons shall be considered a wholesaler or rectifier, and shall pay a state liquor license of one hundred and fifty dollars (\$150) per annum, and the word "Wholesale" shall be written across the face of such license, in red ink.

Wholesalers

*Sheriff to Pay to Treasurer.*

SEC. 10. On the first Monday in each month the sheriff shall pay over to the county treasurer all moneys received by him for state liquor licenses in like manner and form as is hereinafter provided for the payment of county license moneys; and the duties and liabilities of the sheriff, treasurer, and auditor with relation thereto shall be the same as hereinafter prescribed with relation to county licenses. The county treasurer shall between the second and third Mondays in each month, forward to the state controller a certified detailed statement of all moneys paid to him by the sheriff in accordance with this section, which statement shall show the number of each license, whether wholesale, retail, or druggists, to whom and date issued, period covered, amount of each license, and total amount received; which statement shall be furnished to the county treasurer by the sheriff and shall be the basis of the monthly settlement. In every county in this state which now has or may hereafter have a duly incorporated city government, it shall be the duty of the license collector of said county to pay into the city treasury one-half of the amount of license moneys collected from any person or persons for disposing of any spirituous, malt or fermented liquors, or wines, in less quantities than one quart, within the corporate limits of said city.

Sheriff to pay to county treasurer

Treasurer of county to report to state controller

*County Treasurer to Pay to State Treasurer.*

SEC. 11. The county treasurer shall include in his regular semiannual settlements with the state treasurer all moneys received by him on account of state liquor licenses in accordance with the provisions of this act, and shall submit therewith a complete detailed statement of the same, furnishing the state controller with a copy thereof.

Semiannual statement of state liquor licenses to controller and state treasurer

*County Auditor to Make Annual Settlement with the State Controller.*

SEC. 12. The county auditors of the several counties shall, between the first and fifteenth day of December of each year, return to the state controller either in person, by registered mail, or express all unused state liquor license blanks and the properly executed stubs of all used state liquor licenses. The state controller shall immediately check the same with the remittances made by county treasurers to the state treasurer and reports of county treasurers as required by section 11 [10] of this act. If found correct, the state controller shall issue a clearance to the county auditor and the sheriff; and the county treasurer shall be held responsible on his official bond

Auditor to settle annually with state controller

for a proper accounting with the state treasurer under the provisions of this act.

*Penal Provisions.*

Misdemeanor,  
when

SEC. 13. Any person, firm, company, or corporation violating any of the provisions of this act relating to state liquor licenses shall be guilty of a misdemeanor; and any sheriff of this state failing, refusing, or neglecting to collect any state liquor license, as herein provided, shall likewise be guilty of a misdemeanor.

*State Liquor License May Be Obtained for Portion of Year.*

State liquor  
licenses for  
fraction of  
year; regu-  
lations

SEC. 14. Any person or persons applying for a state liquor license under this act shall only be required to pay a license fee for the remainder of the calendar year current when such application shall be made, apportioned at the annual rate. For the purpose of such apportionment each calendar year shall be divided into quarters, beginning on the first days of January, April, July, and October, and in making the apportionment no period less than a quarter shall be considered. Persons applying for licenses at any time during a given quarter, however short the unexpired portion of such quarter may be, shall pay for the whole quarter; and nothing herein shall be construed as to entitle the person or persons who have paid for such license to have any part of the same refunded in the event of such person or persons not continuing to sell or dispose of such liquors until the end of the calendar year in which the license is issued, nor shall it be construed as to permit the issuance of licenses to expire otherwise than with the calendar year in which issued.

*Houses of Amusements Licenses—State and County Division Of.*

Dance  
houses, etc.

SEC. 15. Any person or persons who may conduct any hurdy-gurdy house, dance house, or concert saloon in this state, where women or girls are employed to dance or to solicit the purchase by the persons visiting such house, either directly or indirectly, of any kind of liquor, or wine, or cigars, or to solicit such persons so visiting to treat to any kind of liquor, wine, or cigars, shall, before entering upon the conduct of such dance house, hurdy-gurdy house, or concert saloon, take out a license, in addition to the retail liquor license, from the sheriff of the county in which such person or persons propose to carry on such business, and pay therefor the sum of two hundred and fifty dollars for each and every three months. All moneys received for licenses under the provisions of this section shall be paid three-quarters into the county treasury and one-quarter into the state treasury for general county and state purposes respectively.

State and  
county  
proportions

*License for Running Sheep—Grades.*

Sheep-  
grazing  
licenses,  
classes of

SEC. 16. Every person owning real estate within the State of Nevada who may be engaged in, or who may hereafter engage in, the business of owning, raising, grazing, herding.



or pasturing sheep, as either owner, lessee, or manager of said sheep, in any county in the State of Nevada, must annually procure a license therefor from the sheriff, as collector of licenses, of each of such counties, and make payment therefor as follows in advance for each band, flock, or bunch of sheep:

Sheep-grazing licenses

First—Such person owning or having in his possession or under his control as lessee or manager five thousand sheep or more shall be deemed of the first class and must pay the sum of two hundred and fifty dollars per annum for the first five thousand sheep, and the further sum of fifty dollars per annum for each additional one thousand sheep or fraction thereof.

First class, \$250, and \$50 for each 1,000 over 5,000

Second—Such person owning or having in his possession or under his control as lessee or manager four thousand sheep and less than five thousand shall be deemed of the second class and must pay the sum of two hundred dollars per annum.

Second class, \$200

Third—Such person owning or having in his possession or under his control as lessee or manager three thousand sheep and less than four thousand shall be deemed of the third class and must pay the sum of one hundred and fifty dollars per annum.

Third class, \$150

Fourth—Such person owning or having in his possession or under his control as lessee or manager two thousand sheep and less than three thousand shall be deemed of the fourth class and must pay the sum of one hundred dollars per annum.

Fourth class, \$100

Fifth—Such person owning or having in his possession or under his control as lessee or manager fifteen hundred sheep and less than two thousand shall be deemed of the fifth class and must pay the sum of seventy-five dollars per annum.

Fifth class, \$75

Sixth—Such person owning or having in his possession or under his control as lessee or manager one thousand sheep and less than fifteen hundred shall be deemed of the sixth class and must pay the sum of fifty dollars per annum.

Sixth class, \$50

Seventh—Such person owning or having in his possession or under his control as lessee or manager any number of sheep less than one thousand shall be deemed of the seventh class and must pay the sum of twenty-five dollars per annum.

*Provided*, that the provisions of this section shall not apply to any person, persons, firm, company, association, or corporation who shall be the owner and holder of land in the State of Nevada equal to one acre for each three sheep so owned, raised, grazed, herded, or pastured; *and provided further*, that the lessee of lands shall not be deemed or taken as the owner and holder of land within the meaning of the provisions of this section; *and it is further provided*, that nothing in this section contained shall be so construed as to require the procurement of more than one license for the same sheep in the State of Nevada during the same calendar year.

Provisions as to certain land owners

Never more than one license

SEC. 16A. Every nonresident person, firm, partnership, association, or corporation who owns no real estate within the State of Nevada who may graze, herd, or pasture sheep within

Nonresident owners must pay 15 cents per head

this state, as either owner, lessee, or manager of said sheep, must annually procure a license therefor from the sheriff as collector of licenses of each county within which said sheep are grazed, herded, or pastured, and shall pay therefor the amount of 15 cents per head for each and every sheep grazed, herded, or pastured within this state.

*Grazing License Must First Be Procured.*

Failure to  
first procure  
license a mis-  
demeanor

SEC. 17. Every person who shall engage in the business of raising, grazing, herding, or pasturing of any sheep, as either owner, lessee, or manager thereof, within any county of the State of Nevada without having first procured a license therefor, as prescribed by the preceding section, shall be guilty of a misdemeanor.

*Duties of Sheriff as to Grazing License—Statement Under Oath—Sheriff to Direct Suit—District Attorney to Prosecute.*

Duties of  
sheriff

SEC. 18. The sheriff, as collector of licenses, of each county of the State of Nevada, shall make diligent inquiry and examination concerning all persons in his county liable to the procurement of sheep-grazing licenses under the provisions of this act, and it shall be his duty to require each such person to make a statement under oath or affirmation in writing over signature (which oath or affirmation shall be immediately filed by the sheriff with the county auditor) of the number of sheep then or about to be owned by him or them or about to be in his possession or under his control as lessee or manager thereof within such county. Thereupon such person shall procure such license from such sheriff, as collector of licenses, according to the class to which he shall be shown by the number of such sheep to belong; and in all cases wherein an underestimate of the number of sheep is made by the person procuring such license, the person making such underestimate shall be required to pay a double license for the next year. Such license when procured shall authorize the party procuring the same within the county wherein the same is procured, but in no other county, to transact business as specified in such license, and if any person required by the provisions of this act to procure a sheep-grazing license shall fail, neglect, or refuse to procure such license in the manner herein provided, or shall engage in, or attempt to engage, in the sheep business contrary hereto without procuring such license therefor, the sheriff, as collector of licenses, shall direct the commencement of, and the district or prosecuting attorney of the county shall immediately commence, an action in the name of the State of Nevada as plaintiff against such person for the recovery of the license and all damages according to the class specified herein to which such person shall be proven to belong.

District  
attorney  
must  
prosecute

*County Auditors to Prepare Grazing Licenses.*

SEC. 19. The county auditors of the several counties of this state shall prepare and have printed suitable blank sheep-

grazing licenses. Such licenses shall be in book form, each book to contain ten originals and ten duplicates consecutively numbered, with carbon sheets between; the auditor shall deliver such license books to the sheriff as required; *provided*, such deliveries shall result in the sheriff having no more than two of such books in his possession at any one time. The sheriff shall receipt to the auditor for all sheep-grazing license blanks received.

Auditors to prepare grazing licenses

*Fee of Sheriff.*

SEC. 20. The sheriff, as collector of licenses, shall demand and collect from the person procuring a sheep-grazing license a fee of two dollars for each such license sold by him, in addition to the amount paid for such license.

Fee for licenses

*Sheriff to Pay Over to Treasurer—To Receive Twenty per Cent—Auditor to Check Sheriff.*

SEC. 21. All moneys collected for sheep-grazing licenses, less twenty per cent (which may be retained by the sheriff as his commission for collecting the same), shall on or before the tenth day of each month be paid by the sheriff, as license collector, to the county treasurer of the county wherein such licenses are collected, and shall be by him placed to the credit of the general fund of such county. It shall be the duty of the county auditor, between the tenth and twentieth day of each month, to check the sheriff's returns to the treasurer for the preceding month, together with the unused licenses and the duplicate and canceled licenses remaining in his possession. If found correct, the auditor shall give the sheriff his clearance, which shall detail the sheep-grazing license transactions during the preceding month.

Sheriff to retain 20 per cent commission; balance paid to county treasurer

Auditor to check

*Unlawful to Issue Other License Forms.*

SEC. 22. It shall be unlawful for the sheriff to issue any other licenses for any purpose than those provided for by law.

Other forms unlawful

*Licenses May Be Revoked for Cause.*

SEC. 23. The boards of county commissioners of the several counties of this state are hereby empowered and authorized to revoke, withdraw, and discontinue any business license granted or issued by the sheriff or other proper officer of their respective counties, where there is reason to believe that such business is a nuisance, a menace to public health, or detrimental to the peace or morals of any community in the county in which such business may be conducted; *provided*, that such revocation, withdrawal, or discontinuance of such license shall, when the action is taken on motion of or at the instance of a member of the board, be by unanimous consent of the members of such board.

Any business license may be revoked for cause by county commissioners

Proviso

*Taxpayer May Complain.*

SEC. 24. Any resident taxpayer of any school district in the State of Nevada may file a complaint with the board of county commissioners, or with any board having control and

Any taxpayer may complain against any business

Petition

direction of the county, city, or other municipal government, praying against the continuance of any business which has been previously licensed by the sheriff, or any other proper officer, reciting that such business is a nuisance, a menace to the public health, or detrimental to the peace or morals of the community, and reciting such further facts as may be pertinent in the premises, said complaint to be accompanied by a petition or protest signed by not less than ten per cent of the resident freeholders of such school district, and any board of county commissioners, or other county, town, city, or municipal board, with which such complaint and petition or protest is so filed, shall, at the first meeting thereafter, or at any special meeting in the interim, thoroughly investigate the charges, and if found justifiable, instruct the sheriff, or other proper officer, to revoke, withdraw, and discontinue such license. The delivery of such complaint and petition or protest to the chairman or any member of said board, shall be considered a filing of the same sufficient to cover the provisions of this section, and the failure or refusal of such board to, within thirty days after the filing of such complaint and petition or protest, if said charges are justified, to instruct the sheriff or other proper officer to revoke, withdraw, and discontinue the license of any business so complained and petitioned or protested against, shall render each member of such board guilty of a misdemeanor.

License may be revoked

*Applicable to Cities and Towns.*

Application of sections 23 and 24

SEC. 25. The two preceding sections are hereby made applicable to all licensing officers, town boards, and city trustees, and to the city council or board of aldermen of any incorporated city, town, or municipal government within this state.

*Licenses To Be Posted.*

List of licenses to be posted

SEC. 26. The sheriff of each county in the state shall, on the first Mondays of April, July, October, and January, file with the board of county commissioners, and post up in his office, a statement showing the names of all persons, firms, and corporations doing business in the county from whom licenses are collected, the nature and kind of said business, and the amount of license so paid.

*Limit as to Time of License.*

Licenses may be granted for 1, 2, 3, or 4 quarters

SEC. 27. The licenses provided to be granted by the provisions of this act, except theaters, menageries, circus, glove contests, sheep-grazing and state liquor licenses, shall be granted for one, two, three, or four quarters at the option of the person applying for such licenses. The term "quarter," whenever used in this act with reference to time, shall be construed to mean one-quarter of a year, and said quarters shall begin with the months of January, April, July, and October of each and every year, and whenever any person, firm, association, or corporation shall apply for a license to conduct

business in the middle of any quarter, or any part of a quarter, then said person, firm, association, or corporation shall be required to pay only for the unexpired portion of the quarter, and said licenses shall be so arranged as to have said license fall and become due on the beginning of a quarter, and the sheriff and auditor shall have the right to issue a license for a fractional quarter so as to have all licenses fall due at the beginning of a quarter as herein provided.

*How Provided and Distributed.*

SEC. 28. The county auditor shall cause to be printed a sufficient number of blank licenses mentioned (except as otherwise provided for in this act) for the purposes herein mentioned. Each license shall also contain a blank receipt to be signed by the sheriff on the delivery of such license to the purchaser thereof. The county auditor shall hand over to the treasurer of the county a sufficient number of blanks for the use of the county, which shall be charged to the treasurer on the auditor's books. The treasurer shall countersign the same and deliver them to the county auditor, taking his receipt therefor.

Auditor to provide license forms

*Auditor to Furnish License—To Be Fully Made Out—Statement of Sheriff.*

SEC. 29. Excepting as is herein otherwise provided the auditor shall, from time to time, deliver to the sheriff as many of such licenses as may be required, and shall sign the same and charge them to the sheriff; *provided*, that before signing or delivering any license to the sheriff, the auditor shall fill out the license in full, stating therein to whom said license is issued, the kind of business authorized to be carried on under the license, the dates when said license begins and expires, and the amount of money to be paid therefor, and shall, at the same time, make proper entries upon the stubs in the license book. Whenever any license is returned by the sheriff unsold, the auditor shall cancel and file the license, and note the fact and date of such return and cancelation upon the stub thereof. No board of county commissioners shall audit or allow any claim in favor of a sheriff until there shall be filed with said board the certified statement of the auditor that all settlements required by this act have been made by said sheriff. The amount of all licenses issued to the sheriff and not accounted for shall be deducted before any claim shall be allowed to a sheriff.

Auditor to deliver licenses to sheriff

*Sheriff to Pay—Duties of Auditor—Liability of Sheriff.*

SEC. 30. On the first Monday in each month (except as herein otherwise provided) the sheriff shall pay over to the treasurer all moneys received by him for licenses and take from the treasurer duplicate receipts therefor, and he shall immediately on the same day return to the county auditor all licenses not issued or disposed of by him, and the county auditor shall credit him with the amount so returned; also,

Sheriff to pay all license money to county treasurer



Sheriff liable

the receipts of money paid to the county treasurer, which receipts shall be filed with the county auditor. The county auditor shall charge the treasurer therefor, and open a new account with the sheriff for the next month; and it is hereby made the duty of each sheriff in his county to demand that all persons required to procure licenses in accordance with this act, take out, and pay for the same, and he shall be held liable on his official bond for all moneys due for such licenses remaining uncollected by reason of his negligence.

*Disposition of License Moneys.*

All licenses to go to county general fund; exception

SEC. 31. All moneys received from licenses under the provisions of this act shall be paid into the county treasury and credited to the general county fund, except in those cases where other specific disposition is made thereof herein.

*Possession of Bogus License a Felony.*

Bogus licenses, possession of, a felony

SEC. 32. If either the county treasurer, county auditor, sheriff, or any other person, shall issue, have in his possession with intent to issue or put in circulation, any other licenses than those properly issued to the sheriff under the provisions of this act, the person so offending shall be guilty of a felony; and any collector who shall receive the money for a license without delivering to the person paying for the same the license paid for, or who shall insert the name of more than one person or firm therein, shall be guilty of a misdemeanor. *And provided*, that nothing in this act contained shall affect any provision of an act entitled "An act providing for the payment of a portion of the moneys collected for county licenses for the sale of liquors into the city treasury of incorporated cities within such county," approved February 17, 1893.

Certain acts misdemeanors

Incorporated cities

*Fee of Sheriff.*

Sheriff's fees

SEC. 33. The sheriff, as ex officio license collector, shall receive, and is hereby authorized to retain (except when he is required to turn same into the county treasury for county purposes), as compensation for the collection of licenses, excepting sheep-grazing licenses, six per cent of the gross amount on each business license sold. Twenty per cent shall be allowed for the collection of sheep-grazing licenses according to the provisions of section 21 of this act.

*Insurance Licenses To Go to State.*

Insurance licenses to state treasury

SEC. 34. All amounts collected for fees and licenses under special "Acts to regulate insurance business in the state," shall be paid into the state treasury to the credit of the general insurance fund.

*No Compensation Other Than Salary.*

No additional compensation

SEC. 35. For the services rendered under the provisions of this act, county assessors, auditors, and treasurers, except as specified in this act, shall receive no compensation to themselves other than the salaries fixed by law.



*Penalties for Violations.*

SEC. 36. Whenever possible the civil practice act and the criminal practice act shall be applied in the prosecution of all violators of the provisions of this act. Any person violating any of the provisions of this act within the degree of a felony shall, on conviction thereof, be sentenced to imprisonment in the state prison for a term not less than one nor more than four years. Any person who shall violate any of the provisions of this act within the degree of a misdemeanor shall, upon conviction thereof, be punished by a fine of not less than ten nor more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; *provided*, the penalties herein prescribed shall be in excess of any money loss or expenses incurred to or by the State of Nevada, or any county, city, town, or other municipal government within the State of Nevada, due to such violations; *further provided*, that any such violation on the part of any officer of the State of Nevada, or of any county, city, town, or other municipal government within the State of Nevada, shall *ipso facto* work a forfeiture of and vacancy in his office, such vacancy to be filled and the appointee to qualify as provided by law when vacancy occurs from other cause. In all cases of prosecutions under this act the license collector or board of county commissioners may direct suit and the district attorney shall prosecute same. In all cases of recovery by the plaintiff fifteen dollars liquidated damages shall be included in the judgment and costs, and be collected from the defendant, and five dollars thereof shall be paid to the collector of licenses and ten dollars to the district attorney prosecuting the suit. Upon the trial of any case wherein the procurement of a proper license is in question, the defendant shall be deemed not to have procured the proper license unless he either produces it or proves that he did procure it; but he may plead in bar of a criminal action, a recovery and payment in a civil action against him, of proper license money, damages, and costs.

Penalties for violation of this act

Provisos

*Repealing Section.*

SEC. 37. "An act to regulate the sale of intoxicating liquors outside the corporate limits of any incorporated city or town," approved March 25, 1913;

Certain acts repealed

"An act to encourage agriculture," approved March 16, 1895;

"An act defining the duties of sheriffs in relation to the filing and posting of licenses," approved March 6, 1893;

"An act supplemental to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto,' approved March 23, 1891, and to all acts amendatory thereof, and to provide for a license upon the business of owning, raising, grazing, herding, or pasturing sheep in the several counties

Certain acts  
repealed

of the State of Nevada, and to declare a violation thereof a misdemeanor, and to provide a punishment therefor," approved March 12, 1895;

"An act supplemental to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto,' approved March 23, 1891, and to all acts amendatory thereof, and to provide for a state license upon the business of disposing at retail or wholesale of spirituous, malt, or vinous liquors in this state, and providing penalties for violation hereof," approved March 15, 1905;

"An act to amend an act entitled 'An act supplemental to an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, and to all acts amendatory thereof, and to provide for a state license upon the business of disposing at retail or wholesale of spirituous, malt, or vinous liquors in this state, and providing penalties for violation hereof,' approved March 15, 1905," approved March 24, 1913;

"An act empowering boards of county commissioners, town trustees, or city boards to revoke and discontinue business licenses, under certain conditions," approved March 10, 1903;

"An act licensing the sale of cigarettes and cigarette paper, and other matters pertaining thereto," approved March 1, 1897;

"An act fixing and regulating licenses on automobiles, and providing a penalty for a violation thereof," approved March 6, 1909;

"An act forbidding the collection of licenses from drummers and traveling salesmen, from manufactories, jobbers, and wholesale houses located in the State of Nevada," approved March 29, 1907;

And sections 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, and 149 of an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891; and

All other acts or parts of acts in conflict herewith, are hereby repealed.

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CHAP. 179—*An Act to amend section 17 of an act entitled "An act to create a state board of health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing county boards of health, requiring certain statements to be filed, defining certain misdemeanors, and providing penalties therefor, and other matters relating thereto," approved March 27, 1911.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section seventeen of the above-entitled act is hereby amended to read as follows:

Section 17. (a) That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of the approval of this act, that are required in the forms of the certificates provided for by this act, as directed by the state board of health; and thereafter such record shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they cannot be so obtained, they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

Certain statistics required from managers of hospitals, etc.

(b) It shall be the duty of every attending physician to forthwith report to the local health officer each and every case of scarlet fever, smallpox, diphtheria, and membranous croup, typhus and typhoid fever, foyor and whooping cough, measles, chickenpox, pneumonia, tuberculosis, bronchitis, acute anterior poliomyolitis, cerebro-spinal meningitis, diarrheal diseases of children, cancer, puerperal septicemia, mumps, and Rocky Mountain (tick) fever, and the local health officer shall make a record thereof. Any attending physician who shall fail or neglect to forthwith report to the local health officer any case of scarlet fever, smallpox, diphtheria, and membranous croup, typhus and typhoid fever, foyor and whooping cough, measles, chickenpox, pneumonia, tuberculosis, bronchitis, acute anterior poliomyolitis, cerebro-spinal meningitis, diarrheal diseases of children, cancer, puerperal septicemia, mumps, and Rocky Mountain (tick) fever shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less

Doctors must report all contagious diseases

than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Quarantine  
must be  
established  
and main-  
tained

(c) It shall be the duty of every attending physician upon any case of scarlet fever, smallpox, diphtheria, and membranous croup, whooping cough, measles, chickenpox, acute anterior poliomyelitis, cerebro-spinal meningitis, diarrheal diseases of children, puerperal septicemia or mumps to forthwith establish and maintain a quarantine of such person or persons or the family and premises thereof in conformity with the requirements, rules, and regulations which shall be established by the state board of health, and any attending physician who fails to establish and maintain such quarantine in conformity with the requirements, rules, and regulations of the state board of health shall be guilty of a misdemeanor, and punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than thirty days, or by both such fine and imprisonment.

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CHAP. 180—*An Act entitled an act to make it unlawful to buy or sell, or to offer or expose for sale, trout of less than a specified length, and to provide penalties for its violation, and to repeal all parts of acts in conflict herewith.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Trout under  
15 inches in  
length must  
not be sold  
or traded

Exception

SECTION 1. It shall be unlawful in the State of Nevada for any person or persons, firm, company, or corporation to buy or to sell, or to offer or expose for sale, to barter or exchange, any lake trout, river trout, brook trout, or any other species of trout whatever which is smaller than fifteen inches in total length; *provided*, that nothing in this section shall be so construed as to prevent the sale of trout of any length from a lawfully conducted hatchery.

Penalty

SEC. 2. Any person or persons, firm, company, or corporation, in the State of Nevada, who shall violate this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail in the county where conviction was had for any term not exceeding six months, or by both such fine and imprisonment.

Repeal

SEC. 3. All parts of acts in conflict with any of the provisions of this act are hereby repealed.

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CHAP. 181—*An Act to fix the state tax levy for the fiscal years 1915 and 1916, and to distribute the same to the proper funds.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the fiscal year commencing January 1, 1915, an ad valorem tax of fifty-six cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation, which shall be apportioned by the state controller among the various funds of the state as follows: General fund, thirty-eight and three-tenths cents; state loan, interest and redemption fund, one and two-tenths cents; general school fund, six cents; territorial interest fund, one and three-tenths cents; university state tax, seven and five-tenths cents; university public service department fund, one and seven-tenths cents.

State tax for  
1915, 56 cents

SEC. 2. For the fiscal year commencing January 1, 1916, an ad valorem tax of forty-six cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation, which shall be apportioned by the state controller among the various funds of the state as follows: General fund, twenty-seven and two-tenths cents; state loan, interest and redemption fund, four cents; general school fund, five and four-tenths cents; territorial interest fund, one and two-tenths cents; university state tax fund, six and seven-tenths cents; university public service department fund, one and five-tenths cents.

State tax for  
1916, 46 cents

CHAP. 182—*An Act creating an official flag for the State of Nevada, and prescribing the words, letters, and devices to be contained thereon, and repealing all other acts in relation thereto.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The official flag of the State of Nevada is hereby created, to be designed of the following colors, with the following lettering and devices thereon, to wit: The body of the flag shall be of solid blue. On the blue field, and in the center thereof, shall be placed the great seal of the State of Nevada, as the same is designed and created by section 4402, Revised Laws, 1912; the design of said seal to be in scroll border, and

Specifica-  
tions for  
official flag  
of Nevada

the words "The Great Seal of the State of Nevada" to be omitted. Immediately above the seal shall be the words "Nevada," in silver-colored block Roman capital letters. Immediately below the seal, and in the form of a scroll, shall be the words "All For Our Country," in gold-colored block Roman capital letters. Above the words "Nevada" there shall be placed a row of eighteen gold-colored stars, and below the words "All For Our Country" there shall be placed a row of eighteen silver-colored stars. Each star shall have five points, and shall be placed with one point up.

Repeal

SEC. 2. That certain act entitled "An act adopting the design of the flag of the State of Nevada," approved March 25, 1905, and all other acts and parts of acts in conflict herewith, are hereby repealed.

CHAP. 183—*An Act requiring traveling merchants to procure a license, fixing the amount thereof, providing penalties for violation hereof, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Licensing  
traveling  
merchants  
and peddlers

SECTION 1. The term "traveling merchant," wherever used in this act, shall be taken and deemed to mean all merchants entering into business at any place within the state for a period of less than six months, all persons vending from freight-cars standing on side-tracks, all hawkers, vendors, peddlers and traveling manufactures except such as are engaged in the disposal of products of the soil produced in Nevada, poultry, eggs and live stock, and honey produced in Nevada and dairy products produced in Nevada, which shall be exempt from the provisions of this act.

Nevada  
products  
excepted

License from  
sheriff

SEC. 2. All traveling merchants, prior to commencing business, shall take out a license from the sheriff of the county wherein they desire to transact such business, and shall pay therefor the sum of one hundred dollars for each month or fraction thereof. Such license shall authorize the purchaser thereof to transact the business of traveling merchant within the county designated for the time mentioned therein.

Licenses, in  
what form  
issued

SEC. 3. The sheriff shall issue such licenses, as ex officio collector of licenses, on the same form used for issuance of licenses to theaters and amusements, and all the duties of the sheriff and other county officers in connection therewith shall be the same as the duties in connection with theater and amusement licenses. The penalties and procedure in case of



violation hereof shall be the same as the penalties and procedure in case of violation of theater and amusement licenses.

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 184—*An Act to amend section one of article three, section one of article four, section one of article five, section two of article eight, sections one, two, three, ten and thirteen of article twelve, section two of article fourteen, and sections one and seven of article seventeen of an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, as amended March 13, 1905, and further amended on March 28, 1907, March 24, 1909, March 31, 1909, February 1, 1911, March 10, 1911, March 18, 1911, March 24, 1913, March 25, 1913, and February 26, 1915.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of article 3 of the above-entitled act is hereby amended so as to read as follows:

Section 1. The corporate powers of the city, except as hereinafter stated, shall be vested in a mayor and city council. The mayor shall be an actual and *bona fide* resident of the city for a period of at least two years next preceding his election, and shall be an elector and taxpayer in the city, and he shall be chosen by the qualified electors thereof at large, whose names appear upon the official register as hereinafter provided and who are actual *bona fide* residents of the city. The mayor shall serve for a term of four years from and after the date of his election and qualification, and until his successor shall have been duly elected and qualified. The mayor shall be the chief executive of the city and must exercise a careful supervision over its general affairs. He shall vigilantly observe the official conduct of all public officers and note the fidelity and exactitude or the absence thereof, with which they execute their official duties, and especially in respect to the collection, administration, and disbursement of the public funds, and all books, papers, records, and documents of said city shall at all times be open to his inspection, and any official misconduct or wilful neglect of duty shall be reported by him to the city council. He shall from time to time give the city council information, in writing, relative to the state of the city and recommend such measures as he may deem beneficial to the city. He shall see that the general laws, the provisions of this

Mayor to be elected; qualifications of

Term, 4 years

Various duties

charter and all ordinances, rules, and regulations of said city are observed and enforced, and shall take all proper measures for the preservation of the public peace, order, and the suppression of riots, tumults, and all forms of public disturbances, for which purpose he is authorized to appoint extra policemen temporarily and to use and command the police force, or call upon the sheriff of said county, or, if such forces be inadequate, it shall be his duty to call upon the governor for military aid in the manner provided by law.

SEC. 2. Section 1 of article 4 of the above-entitled act is hereby amended so as to read as follows:

City clerk  
Term,  
4 years  
Qualifica-  
tions

Section 1. There shall be a city clerk, who shall be elected by the qualified electors of the city at each general city election, and he shall hold office for the term of four years and until his successor shall have been duly elected and qualified. No person shall be eligible for said office who shall not be a *bona fide* resident of the city for a period of at least one year next preceding his election, and who is not a citizen of the state, and of the age of at least twenty-one years, and a taxpayer and elector in said city.

SEC. 3. Section 1 of article 5 of the above-entitled act is hereby amended so as to read as follows:

City attorney  
Term,  
4 years  
Qualifica-  
tions

Section 1. There shall be a city attorney, who shall be elected by the qualified electors of the city at each general city election, and he shall hold office for the term of four years and until his successor shall have been duly elected and qualified. No person not a licensed and practicing attorney of the supreme court of this state, in good standing at the bar, a *bona fide* resident of the city, and a taxpayer therein, shall be eligible to the office of the city attorney.

SEC. 4. Sections 2 and 4 of article 8 of the above-entitled act are hereby amended so as to read as follows:

All city  
moneys paid  
by clerk to  
treasurer

Section 2. All taxes, fines, forfeitures, or other moneys collected or recovered by any officer or person under or by virtue of the provisions of this charter or of any ordinance of the city, or by or under any law, and all moneys received or collected shall, without delay, be paid by the city clerk, person, or officer receiving the same, to the city treasurer who shall keep an accurate account thereof and give itemized receipts therefor in duplicate, one of which shall be given to the city auditor immediately for the more perfect keeping of his accounts, and for the information of the city council, and the original of said receipt shall be given to the officer or person so paying in such money. All such moneys shall be placed by the city treasurer in the funds to be known as the Reno general fund, and the Reno bond redemption fund, and shall be so kept intact and not commingled with other moneys or in any manner disposed of, except as paid out upon proper warrants and claims against the city, including the principal

Reno general  
fund

and interest of any municipal bonded indebtedness. And the city council may designate any bank or banks in the city of Reno in which the city treasurer shall deposit any or all funds of the city in the name of the city of Reno, either with or without interest, subject to checks drawn by the city treasurer upon proper warrants and claims against the city. The city council may also designate any savings bank or banks for the deposit of bond redemption funds, at the usual rate of interest and subject to the rules of such banks, to be drawn by the city treasurer in the usual manner when required to pay such bonds at maturity.

Funds may be deposited in designated banks

SEC. 5. Sections 1, 2, 3, 10, and 13 of article 12 of the above-entitled act are hereby amended so as to read as follows:

City council

Section 1. The legislative power of the city, except as hereinbefore provided, shall be vested in a city council, consisting of six members, who shall hold office for the term of four years from and after the date of their election. They shall be citizens of the state, *bona fide* residents and taxpayers in the city, and qualified electors of their respective wards, whose names appear upon the official register as electors of such ward, and residents thereof, within the corporate limits of the said city; *provided*, that no person shall be eligible to the office of councilman who shall not have been an actual *bona fide* resident in the ward to be represented by him for the period of at least six months immediately preceding the date of such election.

Members elected for 4 years

Qualifications

Section 2. Of the councilmen elected hereunder at the next general city election, the one elected from the First ward, the one elected from the Second ward, the one elected from the Third ward, the one elected from the Fourth ward, and the one elected from the Sixth ward shall serve for the term of four years, from and after the date of their election. Upon the expiration of the term of office of the councilman heretofore elected from the Fifth ward, the vacancy shall be filled as provided in section 3 of this article; and thereafter at each general city election one councilman shall be elected from each ward in the city to serve for the term of four years from and after the date of his election.

Provisions as to next city election

Section 3. Any vacancy occurring in the office of councilman shall be filled by the mayor and city council at the first regular meeting after such vacancy, when the mayor shall, subject to confirmation by the city council, appoint some person possessing the requisite qualifications as hereinbefore prescribed, and in case the person so nominated is not confirmed by a majority vote of all the members elected, the mayor shall nominate another, and so on until the place is filled. The person so appointed shall hold such office until the election and qualification of a councilman therefor at the next general city election.

Vacancies in council, how filled

Section 10. The city council, among other things, shall have power:

Duties  
of city  
council

First—To fix the place of its meetings and the time for calling same to order, and to judge of the qualifications and election of its own members.

To pass  
ordinances,  
etc.

Second—To make and pass all ordinances, resolutions, and orders, not repugnant to the constitution of the United States, or of the State of Nevada, or to the provisions of this charter, necessary for the municipal government and the management of the city affairs, for the execution of all the powers vested in said city, and for making effective the provisions of this charter, and to cause to be compiled from time to time, not to exceed once in every two years, the charter and its amendments and the ordinances of the city of Reno in book or pamphlet form, of which not less than two hundred copies shall be issued for general distribution within said city, at a reasonable price, in which said compilation the ordinances of the said city once passed and published as provided in section 7 of this article may be repealed, revised, amended, and validated without further publication.

Ordinances  
to be  
printed

Tax for  
sewage-  
disposal  
plant

Third—To levy and collect annually for general purposes a tax of not to exceed three-quarters of one per cent upon the assessed value of all real and personal property within the city, and which is by law taxable for state and county purposes, fifteen per cent of which shall be set aside in a special fund to provide for a sewage disposal plant or system for the city, and for no other purpose, until such time as said sewage disposal plant or system shall be actually installed and paid for; and in addition thereto to levy and collect annually a tax of not to exceed one-quarter of one per cent upon the assessed value of all real and personal property within the city, which is by law taxable for state and county purposes, to provide a fund for the payment of the interest on the bonds of the city outstanding, and that may be lawfully issued and sold hereafter, and to provide a fund for the payment of the principal of such bonds, and for the redemption thereof as they shall mature, and for no other purpose.

Fund for  
interest and  
redemption  
of bonds

Concerning  
city property

Fourth—To sell, use, lease, improve, hold, and take care of the real estate and personal property of the city; *provided*, the city council shall not have power to mortgage, hypothecate, or pledge any property of the city for any purpose.

Concerning  
streets,  
alleys, etc.

Fifth—To lay out, extend, change the grade, open, vacate, and alter the streets and alleys within the city, and by ordinance require and provide for the macadamizing, oiling, curbing, graveling, grading and regrading, paving, draining, cleaning, repairing, lighting, surfacing and resurfacing and widening any highway, street, or alley, or otherwise improving same; also to provide by ordinance the improvement and preservation of the city parks, and the construction, repair, and preservation of sidewalks, crossings, bridges, drains, curbs, gutters, and sewers; for the prevention and removal

of obstructions from the streets and sidewalks of the city; and to regulate and prohibit the placing of signs, awning posts, show windows, and other things upon and over the sidewalks, and regulate and prohibit the construction and use of openings in the streets and sidewalks, and all vaults, structures, and excavations in and under the same, and to prevent, prohibit, and remove all obstructions and nuisances upon the sidewalks, streets, and alleys within the city limits; and for that purpose and for the purpose of defraying the expense thereof, may divide the city into districts. Such part of the expenses of improving any streets, lanes, avenues, or alleys by grading, paving, graveling, curbing, constructing sidewalks, or otherwise improving the same, as the city council shall determine, may be paid from the general fund, street fund, or district street fund, from the proper street district, or the said cost, or a portion thereof, as the city council shall determine, may be defrayed by special assessments upon lots and premises fronting upon that part of the street or alley so improved or proposed so to be, or the lands fronting upon such improvement and such other lands as in the opinion of the city council may be benefited by the improvement. When the city council shall determine to make any public improvements, such as laying pavements, constructing sewers, drains, or sidewalks and curbing, macadamizing, oiling, graveling, or grading any streets or alleys, or in any way improving the same, and defray the whole or any part of the costs or expenses thereof by special assessment, they shall so declare by ordinance, stating the improvements and what part or portion of the expenses thereof shall be paid out of the general fund, street fund, district street fund or any other fund. When expenses for such improvements or repairs shall be assessed, and there shall be lands belonging to the city, school buildings, or other public building or public grounds not taxable, fronting on such improvements, such part of the expense of such improvement as in the opinion of the city council, or assessor making such special assessment would be justly apportionable to such public grounds, buildings, and city property, and to any interior, squares or spaces formed by the intersection of streets where they are taxable, shall be paid from the general fund, or from the proper street or district street fund, or part from each, as the city council shall determine to be just, and the balance of such expense shall be assessed upon the taxable lots and premises fronting upon such improvement or improved streets, in proportion to their number of feet frontage; or, if the special assessment shall include other lands not fronting upon the improvement, then upon all land included in such special assessment, in proportion to the estimated benefits resulting thereto from the improvement. When such assessment is to be made upon lots in proportion to their frontage upon the improvement, if from the shape or size of any lot, the assessment thereon in proportion to its frontage would be unjust

Expenses,  
how paid

Improve-  
ments  
declared by  
ordinance

Assessment,  
how  
determined



City public  
buildings

Special  
assessments,  
when

Estimates of  
expense by  
city  
engineer

and disproportionate to the assessment upon other lots, the city council, or assessor making the assessment, may assess such lots or such number of feet frontage as in their opinion would be just. The cost and expense of the following improvement, including the necessary land therefor, viz., for city hall and other public buildings for the use of the city, officers, engine-houses and structures for the fire department, water-works, city prison, levees and embankments, shall be paid from the proper general fund of the city; except that, in case of lands appropriated for streets and rights of way, the cost thereof may be paid in whole or in part from the avails of special assessment to be levied therefor in the manner herein prescribed. Whenever, in the opinion of the city council, the benefits thereof are special rather than general or public, when by the provisions of this act the cost and expense of any local improvements may be defrayed in whole or in part by special assessment upon the lands fronting and adjacent to or otherwise benefited by such improvement, such assessment may be made in the manner hereinafter specified. When the city council shall determine to make any public improvement or repairs, in the laying of pavements, or constructing sidewalks, or in any way improving the streets in the city, and defray the whole or any part of the cost and expense thereof by special assessments, they shall so declare by ordinance, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part, if any, has been appropriated from the general fund of the city, or from the street funds, or district street funds, and whether the assessment is to be made according to benefits or frontage, and in case the assessment is to be made according to benefits they shall by apt description designate the district, if a special district is set apart therein, including the lands to be so assessed; or in case there is no district so set apart they shall describe definitely the location of the improvement, and state that the assessment is to be made upon all the lands benefited thereby according to benefit; but in case the assessment is to be made upon the property according to the frontage, it shall be sufficient in said ordinance to so state with a definite location of the improvements to be made. It shall not be necessary in any case to describe minutely in the ordinance each particular lot to be assessed, but simply to so designate the property, district, or the location that the various parts to be assessed can be ascertained and described by the city assessor. Before ordering any public improvement or repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the city council shall cause estimates of the expense thereof to be made by the city engineer, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and deposit the same with the city clerk for public examination and they shall give notice thereof and of the proposed improvement or work and



of the location of the improvement and of the district to be assessed, by publication for two weeks at least in one of the newspapers of the city, by posting printed notices of the same in at least three of the most public places in each ward, and also a notice in or near each postoffice of said city, and three notices near the site of the proposed work in some public and conspicuous place, and of the time when the city council will meet and consider any suggestions and objections that may be made by parties interested with respect to the proposed improvements. Unless a majority of the persons to be assessed shall petition therefor, no such improvement or work shall be ordered except by the concurrence of two-thirds of all the members elected to the city council. In all cases where the board of health or other officials of the city or the city council are authorized to do so, or cause to be done, certain things, the whole or any part of which may be charged as a special assessment upon the property, and where special provisions for making the levy are not herein made, the city council may cause sworn statements of the cost thereof, and of the location thereof, to be made as provided in the last paragraph, and may at their option refer the same to the city assessor and have the same assessed against such property. The cost and expenses of any improvement which may be defrayed by special assessments shall include the cost of surveys, plans, assessments, and cost of construction. In no case shall the whole amount be levied by special assessment upon any lots or premises where any one improvement exceeds twenty per cent of the value of such lands as last before valued and assessed for state and county taxation in the county tax roll. Any cost exceeding that per cent which would otherwise be chargeable upon said lots or premises shall be paid from the general funds of the city. The city council shall prescribe the fees and compensation that may be charged in the work of making any special assessment as part of the assessment. No contract for doing the work or making the improvement contemplated herein shall be made or awarded, nor shall the city council incur any expense or liability in relation thereto until after the notice and hearing provided for herein shall have been given or had. But nothing herein contained shall be construed as preventing the city council from advertising for proposals for doing the work whenever they see fit, provided the contract shall not be made or awarded before the time herein stated. When any special assessment is to be made pro rata upon the lots or premises in any special assessment district, according to frontage or benefits, the city council shall, by ordinance, direct the same to be made by the city assessor, and shall state therein the amount to be assessed, and whether according to frontage or benefits, and describe or designate the lots and premises, or the locality constituting the district to be assessed; in fixing the amount or sum of money that may be required to pay the costs of any improvement, the city council need not necessarily be governed

Notices of  
improvements to be  
posted

Cost of  
improvements  
limited

Contracts,  
when

Duties of  
city  
assessor

Proviso

City  
assessor  
to report to  
city council

Form of  
report

by the estimates of such improvement provided for herein, but the city council may decide upon such other sum, within the limitations described, as they may deem necessary to cover the cost of such improvement. Upon receiving such order and directions the city assessor shall make out an assessment roll, entering and describing all lots, premises, and portions of land to be assessed with the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon and against such persons the amount to be assessed in the manner directed by the city council and the provisions of this act applicable to the assessment; *provided*, in all cases where the ownership thereof is unknown to the assessor he shall, in lieu of the name of the owner, insert the name "unknown"; *provided also*, if by mistake or otherwise any person shall be improperly designated as the owner of any lot or premises, or if the same shall be assessed without the name of the owner, or the name of the person other than the owner, such assessment shall not for any cause be vitiated, but shall in all respects be as valid upon and against such lot, parcel of land, or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed and recorded, shall be a lien on such lot, parcel of land, or premises, and collected as in other cases. If the assessment is required to be according to the frontage, the city assessor shall assess each lot or parcel of land or such relative portion of the whole amount to be levied, as the length of front of such premises fronting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the shape or size of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the city assessor. If the assessment is directed to be according to benefits, the city assessor shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement. When the assessor shall have completed the assessment he shall report the same to the city council. Such reports shall be signed by him and made in the form of a certificate and endorsed on the assessment roll as follows:

State of Nevada, City of Reno, ss. To the City Council of the City of Reno: I hereby certify and report that the foregoing is the assessment roll, and the assessment made by me pursuant to an ordinance of the city council of the said city, adopted (give date), for the purpose of paying that part of the cost which the city council decided should be paid and borne by special assessment for the purpose of paying the costs of (e. g.) for paving Virginia street from First street to Fourth street in said city (as the case may be), (or constructing a sewer on Sierra street), (or as the case may be). That in making such assessment, I have as near as may be and accord-

ing to my best judgment conformed in all things to the directions contained in the ordinance of the city council hereinbefore referred to, as well as to the charter of the city relating to such assessment.

Dated Reno, Nevada,....., A. D. 19.....

....., City Assessor.

When any expense shall be incurred by the city upon or in respect to any separate or single lot, parcel of land, or premises which, by the provisions of this act, the city council is authorized to charge and collect as special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land, on account of the labor or services for which such expense was incurred, verified by the officer or person performing the services, or causing the same to be done, with a description of the lot or premises upon or in respect to which the expense was incurred, or the name of the owner or person, if known, chargeable therewith, shall be reported to the city council in such manner as the city council shall present. And the provisions of the previous subdivisions with reference to special assessments generally and the proceedings necessary to be had before making the improvement, shall not apply to the assessments to cover the expense incurred, in respect to that class of improvements contemplated in this subdivision.

Expenses,  
how met

The city council shall determine what amount or part of every expense shall be charged and the person, if known, against whom and the premises upon which the same shall be levied as a special assessment; and as often as the city council shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises and the persons chargeable therewith respectively to be reported by the city clerk to the city assessor for assessment.

Council to  
determine  
pro rata of  
expenses

Upon receiving the report mentioned in the preceding subdivision the city assessor shall make a special assessment roll and levy a special assessment therein upon each lot or parcel of land so reported to him and against the person chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid to be levied upon each of such lots or premises, respectively, and when completed he shall report the assessment roll to the city council. When any special assessment shall be reported by the city assessor to the city council as in this section and subdivision directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment the city council shall cause notice to be published for two weeks at least in some newspaper of the city of the filing of the same with the city clerk, and appointing a time when the city council and assessor will meet to review the assessments. Any person objecting to the assessment may file his objections thereto in writing with the city clerk. The notice provided for in this

City  
assessor  
to make  
special  
assessment  
roll

subdivision may be addressed to the persons whose names appear upon the assessment roll and to all others interested therein, and may be in the following form:

### Notice of Special Assessment

Notice of  
special  
assessment

To (insert the names of the persons against whom the assessment appears) and to all persons interested, take notice: That the roll of the special assessment heretofore made by the city assessor for the purpose of defraying that part of the costs which the city council decided should be paid and borne by special assessment for the (e. g., paving Virginia street to Fourth street in said city), (or constructing a sewer on Sierra street between First street and Fifth street), or (as the case may be), is now on file at my office for public inspection. Notice is hereby given that the city council and city assessor of the city of Reno will meet in the council room in said city on (insert the date fixed upon), to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Dated.....City Clerk.

Assessment  
reviewed

At the time appointed for the purpose aforesaid the city council and city assessor shall meet and there, or at some adjourned meeting, review the assessment; and shall hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide upon the same; and the city council may correct the same as to any assessment or description of the premises appearing therein, and may confirm it as reported or as corrected, or they may refer the assessment back to the city assessor for revision; or annul it and direct a new assessment; in which case the same proceedings shall be had as in respect to the previous assessment. When a special assessment shall be confirmed the city clerk shall make an endorsement upon the roll showing the date of confirmation which shall be in the following words: "Special assessment roll for (describing fully what the assessment is for), as approved by the city council, the ..... day of ..... (month), 19.... (affixing the time).

Clerk's  
certificate

Dated.....City Clerk."

Two-thirds  
vote  
necessary  
for con-  
firmation of  
assessment

Sixth—When any special assessment roll shall be confirmed by the city council it shall be final and conclusive except as hereinafter provided; but no such assessment shall be confirmed except by a two-thirds vote of all the members elected to the city council. The city clerk and clerk of the city council shall thereupon deliver to the county auditor, acting ex officio city auditor, the assessment roll as confirmed by the city council, with his certificate of such confirmation, and of the date thereof. The county auditor, acting ex officio city auditor, shall thereupon, without extra compensation, record such assessment roll in his office, in a suitable book to be kept for that purpose, and append thereto his certificate

f the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such assessment roll. Said roll when so endorsed and recorded shall be *prima facie* evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof and of the validity of said assessment and assessment roll.

Assessment  
roll  
*prima facie*  
evidence

All special assessments shall, from the date of recording thereof, constitute a lien upon the respective lots or parcels of land assessed and shall be charged against the persons and properties until paid. Upon the confirmation and recording of any assessment the amount thereof may be divided into not more than ten installments, one of which installments to be collected yearly, in a manner hereinafter prescribed, with annual interest thereon at a rate not exceeding seven per cent.

Assessments  
lien on lands

All special assessments, except such installments thereof as the city council shall make payable at a future time, shall be due and payable upon recording, and suit may be commenced for the collection thereof in the name of the city of Reno in the same manner as any other action for money owed the city of Reno; *provided*, the court shall order the property, or sufficient thereof to cover the amount of judgment and costs, sold, and the proceedings in said action, where the same are not inconsistent, shall be the same as is provided in the civil practice act of the State of Nevada, and whenever and wherever the words "justice court," "justice of the peace," and "constable" are used in said civil practice act the same shall be held to mean police court, police judge, and chief of police, respectively, for the purposes of said action.

Assess-  
ments,  
when  
payable

Should any lots or lands be divided after a special assessment thereon shall have been confirmed and divided into installments and before the collection of the installments, the city council may require the city assessor to apportion the uncollected amounts upon the several parts of lands so divided. The report of such apportionment when confirmed shall be conclusive on all the parties, and all assessments thereafter made upon such lots or lands shall be according to such subdivision.

Assessor to  
apportion  
amounts,  
when

Should any special assessment prove insufficient to pay for the improvement or work for which it is levied, and the expense incident thereto, the amount of such deficiency shall be paid from the general fund in the treasury of the city; and in case a greater amount shall have been collected than was necessary the excess shall be refunded ratably to those by whom it was paid.

Deficit or  
surplus of  
assessment,  
how  
adjusted

Whenever any special assessment shall, in the opinion of the city council, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessments to be illegal, the city council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same

New  
assessment,  
when



purpose for which the former assessment was made. All of the proceedings for such reassessment and for the collection thereof shall be conducted in the same manner as provided for special assessment in this act.

Whenever any sum or any part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises; and the assessment to that extent be deemed satisfied.

Lien of city  
not  
impaired

No judgment or decree nor any act of the city council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same or as by regular mode of proceedings might have been lawfully assessed thereon.

Annual  
installments,  
when

When any special assessment shall be confirmed, recorded, and be payable, and the city council desires to have the same paid in annual installments as hereinbefore provided, the city council may, by resolution, direct the city clerk to report to the city assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each, or the amount of the annual installment with the interest added, and the name of the owner or occupant against whom the assessment was made, and to require the city assessor to levy the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively, and the city council shall annually and at the same time the city tax levy is made continue to so require the city assessor to levy the said installments of special assessments until the whole sum assessed with interest thereon has been paid. Upon receiving such report, the city assessor shall levy the sums therein mentioned upon the respective lots and premises to which they were assessed and against the persons chargeable therewith as a tax in the general assessment roll next thereafter to be made in a column for special assessments, and the county auditor, acting ex officio city auditor, shall extend the same on said roll in the same manner as state and county taxes or assessments are extended, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll by the county tax receiver, acting ex officio city tax receiver, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that nothing in this paragraph set forth shall be construed as preventing the city of Reno from collecting any special assessment by suit in the name of the city of Reno in the manner in this subdivision before contained, and the said special assessment roll and the certified resolution confirming it, as recorded, shall be *prima facie* evidence of the regularity of

Auditor to  
extend roll

Proviso



the proceedings in making the assessment and of the right of the city to recover judgment therefor.

If in any action for the collection of any assessment it shall appear by reason of any irregularity of informality that the assessment has not been properly made against the defendant, or the lot or the premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

Informal-  
ities not to  
vitiate tax

The city council of the city of Reno is hereby authorized and empowered to correct or amend the said special assessment roll, by resolution, at any time after confirmation and recording of the same, so as to make it conform to the actual cost of the work for which the same was levied, and all changes in said roll shall be made by resolution, by a two-thirds vote of all the members elected to the city council, and the said resolution, or a copy thereof certified by the clerk of the city council as being a true copy, shall be posted in the said special assessment roll and shall constitute conclusive authority for the change so made.

Council may  
correc  
special  
assessment  
roll

In construing the fifth and sixth powers of section ten, article twelve, anything in this act contrary thereto shall not be deemed in conflict with the provisions of said powers.

Not to  
conflict

Seventh—To organize, regulate, maintain, and disband a fire department, to provide for the extinguishment of fire and protection against the same; to regulate or prohibit the storage of gunpowder or other explosive, combustible, or inflammable material within, or transported through, the city, and to prescribe the distance from said city where the same may be stored, held, or kept; to regulate the selling, using, or keeping of firecrackers, fireworks, and the giving of any exhibition of fireworks within the city limits and any designated portion thereof.

Fire  
precautions

Eighth—To determine, by ordinance, what shall be deemed nuisances, and to provide for the abatement, prevention, and removal of the same by the city or at the expense of the parties creating, maintaining, causing, or committing such nuisances, and to provide for the penalty and punishment of the same.

To define  
nuisances

Ninth—To provide for safeguarding the health of the city. For this purpose, the city council may appoint a city board of health and by ordinance, prescribe its duties and powers, and provide that any violation of any order of the board of health shall be considered a misdemeanor.

Health  
of city

Tenth—To fix, impose and collect a license tax on and to regulate all character of lawful trades, callings, industries, occupations, professions and business, conducted in whole or in part within the city, including all theaters, theatrical or melodeon performances and performances of any, every, and

To collect  
licenses  
on all  
businesses

To collect  
licenses  
on all  
businesses

all kinds for which an admission fee is charged, or which may be held in any house, place, or enclosure where wines, spirituous, malt, vinous, or intoxicating liquors are sold or given away; circuses, shows, billiard tables, pool tables, bowling alleys, and all exhibitions and amusements. To fix, impose, and collect a license tax on and regulate all taverns, hotels, restaurants, chop houses, cafes, saloons, eating-houses, lunch counters, barrooms, lodging-houses accommodating four or more lodgers, manufacturers, laundries, livery stables, sale stables, cattle or horse corrals, express companies, telegraph and telephone companies, oil wells or tanks, oil refineries, tanneries, foundries, brickyards, pressed-brick yards, street railway companies operating in whole or in part within the city. To fix, impose, and collect a license tax on and regulate auctioneers and stock brokers. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress all tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state. To fix, impose, and collect a license tax on, regulate, prescribe the location of, or suppress, all saloons, barrooms, gambling games, tippling houses, dram-shops, any and all places where intoxicating drinks are sold or given away, street fakers, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, phrenologists, pawn shops, pawn brokers, oil wells, oil tanks, oil refineries, soap manufacturers, brickyards, livery, feed, or sale stables, cattle or horse corrals, foundries, and machine shops. To prohibit and suppress all dog-fights, prize-fights, cock-fights, bear, bull, or badger baits, sparring and sparring contests. To regulate, prohibit, prescribe the location of, and suppress, all houses of ill-fame, hurdy-gurdy houses, bawd houses, and any and all places where persons resort to for lewd or lascivious purposes, or purposes of lewdness or prostitution, including dance houses and saloons having special attractions, such as music or otherwise. To fix, impose, and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of any, every, and all kinds, trades and traders of all kinds, hotels, butcher shops, slaughter houses, wood and fuel dealers, coal dealers, sewing machine agents, marble or stone dealers, saddle or harness makers or shops, cigar stores, stationery stores, confectionery stores, newspaper stands, plumbing shops, tin shops when separate from hardware stores, hardware stores, paint or oil stores, bicycle shops, garages, repair shops, cycleries, warehouses, cold-storage plants, daily, weekly, semiweekly, monthly, and semimonthly newspapers or publications, ice peddlers, insurance companies, fire, life, and accident, and agents or solicitors for the same, surety companies, and agents or solicitors for the same, shooting galleries, upholsterers, soap factories, barbershops, collection agencies, and collectors, carpet

cleaners, photographers, wagon makers, wheelwrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth-cleaning and dyeing establishments, all billiard or pool games or other or any table games played with cue and balls or other mechanical device, bakeries, milliners, gunsmith shops, steam renovating works, dressmaking establishments, railroad, telegraph and telephone companies, stage companies, electric light, water, and power companies, bankers and brokers of any, every, and all kinds, electrical supply houses, job printers, manufacturers of soda water, or other or any soft drinks, or of beer, malt, spirituous, or vinous liquors or other or any alcoholic beverages, brewing companies, brewing agencies, patent medicine agencies, agencies of any and all kinds, wholesale liquor houses, or purchasers or brokers, sampling works, flour mills, city express and job wagons, draymen, second-hand stores, messenger service establishments, contractors, contracting mechanics or builders, sash and door factories, planing mills, machine shops, car shops, building and loan companies and agents or solicitors for the same, real estate agents, real estate solicitors, popcorn, peanut, delicatessen, fruit and lemonade stands, refreshment or coffee stands, booths and sheds, dry-goods stores of every, any, and all kinds, boot and shoe stores, furniture stores, drug stores, undertakers, glass and crockery stores, tamale stands or shops, abstract of title companies, or persons furnishing the same, iron works, notions and notion stores, pipe and tobacco stores, advertising by billboards, placards and the like, bootblacks and bootblack stands, gun stores, sporting, hunting, and fishing tackle stores, jewelry stores, resorts for amusements of all kinds, and all and singular, each and every, and any business, and all trades and professions, including attorneys, doctors, physicians, and dentists, and all character of lawful business or callings not herein specifically named; *provided*, that in fixing licenses, the city council must as nearly as practicable, make the same uniform in proportion to the approximate amount of business done by the licensee; *and provided further*, that in fixing licenses hereunder, the city council must have due regard for and be governed as far as possible by, the approximate amount or volume of business done by each person, firm, company, association, or corporation thus licensed.

To collect  
licenses  
on all  
businesses

Eleventh—To fix, impose, and collect a license tax on, and regulate all saloons, barrooms, dram shops, bars, tippling houses, or places where spirituous, malt, vinous, or intoxicating liquors are sold or given away; and to limit the number of saloons and all other retail liquor licenses, and to revoke the same.

To regulate  
liquor traffic

Twelfth—To fix, impose, and collect an annual per capita tax on all dogs and to provide for the capture and destruction of all dogs on which said tax shall not be paid. To fix, impose, and collect a license tax on and regulate hacks, hackney

Dog tax,  
vehicles,  
runners, etc.

coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate the stands of all hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate their rates of fare, and to require schedules of rates to be posted on or upon such public vehicles. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress runners for hotels, taverns, or other business.

**To preserve peace** Thirteenth—To prevent and restrain any riot or riotous assemblage or disorderly conduct within the city, and to provide for the punishment of the same.

**Chain gang** Fourteenth—To provide for the formation of a chain gang for persons convicted of offenses against the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and prevent their escape while being so employed.

**City elections** Fifteenth—To provide for conducting all city elections, regular or special, establishing election precincts, changing the same, and appointing the necessary officers of election.

**To curtail fast driving** Sixteenth—To regulate the speed at which cars, automobiles, bicycles, and other vehicles may run within the city limits, and to prescribe the length of time any street may be obstructed by trains being made up or cars standing thereon, and to require railway companies, at the expense of said railway companies, either to erect safety gates and maintain the same, or to station flagmen or place such sufficient warning signals or signal bells on street crossings as may, in the judgment of the city council be necessary, and to require street railway cars to be provided with modern fenders, and sufficient heat and other conveniences for the passengers and employees, and to have warning or signal bells rung at all street crossings, and generally to regulate and control the same for the comfort, safety, and security of pedestrians and the traveling public. And the city council of the city of Reno is hereby vested with full power and authority to exercise the right of eminent domain in all cases where the same is deemed necessary to condemn a right of way for street or other public purposes over and across any railroad right of way.

**Safety precautions** Seventeenth—To examine all books, papers, reports, and statements of the several officers or other persons having custody, care, or disbursement of any moneys belonging to the city, and to examine and liquidate all accounts and claims against the city and to allow or reject the same or any part thereof.

**To examine city accounts** Eighteenth—To provide for the issuance of all licenses in this charter authorized and to fix the amount thereof and the times for, manner of and terms upon which the same shall be issued.

**To fix amount of licenses** Nineteenth—To make all appropriations, examine and audit, reject or allow the accounts of all officers, or other persons having the care or custody of any city moneys or property

**To make appropriations**

and to determine the fee or salary of such officer or person, except as herein otherwise provided, to make contracts and agreements for the use and benefit of the city, such contracts to specify the fund out of which payment for the same is to be made; *provided*, that in no case shall a liability be created or warrant drawn against any fund beyond the actual amount then existing in such fund wherewith to meet the same. Proviso

Twentieth—To control, enlarge, or abolish cemeteries and to sell or lease lots therein; to control and regulate the interments therein and to prohibit them within the city limits, and to prescribe the distance from said limits, where the same may be located; and to provide for the issuance of burial or transit permits, and make a charge therefor. Cemeteries and burial of dead

Twenty-first—To establish, lay out and change fire limits and regulate or prevent the erection or repair of wooden buildings therein; to regulate and prescribe the material to be used in the construction or repair of buildings or sheds in such limits and to prevent the erection or construction of any buildings or sheds of other material; to regulate, prescribe the material of, and prohibit awnings, porches, signs, placards or billboards over sidewalks, or across streets, and to regulate the same throughout the city. Fire limits, etc.

Twenty-second—To provide by ordinance, for supplemental registration of all persons possessing the requisite qualifications of voters in said city and whose names do not appear on the official register of voters in said city for the next preceding general election; such supplemental registration may be had every four years, before the police judge, and conform as nearly as possible with the requirement of general laws governing registration of persons for general elections; *provided*, that no such supplemental registration shall be had or taken later than thirty days preceding any regular city election, and the registration books shall be closed at least ten days before the day of election. Registration of city voters

Twenty-third—To provide and maintain a city prison and provide for the guarding, safe-keeping, care, feeding, and clothing of the city prisoners. City prison

Twenty-fourth—To prevent or regulate the running at large in the city of any poultry, hogs, sheep, goats, swine, horses, cows, or animals; to establish and maintain a pound and to authorize the impounding, sale, or disposal of any animals found running at large, and to authorize the destruction of all fowls or poultry running at large. To prevent animals running at large

Twenty-fifth—To regulate or prohibit the use of steam boilers; the location of telegraph, telephone, electric light and other poles, and the suspension thereon of wires, and the construction of entrances to cellars and basements from sidewalks. Regulations of boilers, poles, etc.

Twenty-sixth—To prevent and regulate the erection or maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures; to prescribe the manner of con- To regulate safety of structures, etc.



To regulate  
safety of  
structures,  
etc.

struction and location of drains and sewers; to lay out, change, and create sewer districts; to require connections with sewers; to require the owners, lessees or other persons in control or possession of public buildings or buildings used for public purposes, including hotels, dancing halls, theaters, and theater buildings, to place in or upon the same, fire escapes and appliances for protection against the extinguishment of fire; to prevent the construction and cause the removal of dangerous chimneys, stovepipes, ovens and boilers, and to prevent the depositing of sewer filth, offal, manure, or other offensive matter in the city; to prevent the depositing of ashes, rubbish, shavings, or any combustible material in unsafe places; to regulate and compel the abating, removal, or cleansing, at the expense of the person in possession or responsible therefor, of all nauseous matter, filth, accumulated rubbish, debris, nauseous, stinking or foul privy vaults; and if after the city council has given written notice to the owner or agent of any lot or premises to clean the same of any accumulated rubbish, garbage, or filth, the said owner or agent refuses or fails for a period of two days from and after receipt of said notice so to do, the city council may remove the said rubbish, garbage or filth and collect the cost of said removal by suit against the said owner and lot or premises, and the cost of said removal shall be a lien against the said lot or premises until paid, and in the said action for recovery of the cost of said removal it shall not be necessary to join as defendant any party other than the name of the actual record owner and the said lot or premises.

Prevent  
overcrowd-  
ing of  
public halls,  
etc.

Twenty-seventh—To regulate the entrance to and exit from theaters, lecture rooms, public halls, and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, or benches in or crowding or otherwise impeding or obstructing the passageways, aisles, entrances or exits of such places.

Regulate  
pipe lines,  
etc.

Twenty-eighth—To regulate and control the construction and maintenance of any tubes, pipes, or pipe lines, conduits, ditches, signal bells, warning signs, and other electric, telegraph, and mechanical appliances in, along, over, under, and across the streets and alleys; *provided*, that no such appliances shall be placed so as to interfere with the fire alarm system, or the extinguishment of fires, or permanently, with the free use of the streets, sidewalks or alleys.

Railways to  
repair and  
sprinkle  
streets

Twenty-ninth—To require every railroad and street railway company to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks, and to require all street railway companies to sprinkle the streets between their tracks, and for a reasonable distance on each side thereof.

Abolish  
nauseous  
nuisances

Thirtieth—To require upon such notice as the city council may direct, any noxious or offensive smell, filth, or debris to be abated, removed, or otherwise destroyed, at the expense



of the person or persons causing, committing, or responsible therefor, and the city council in like manner may require or cause any lots or portions of lots covered by stagnant water for any period, to be filled up to such level as will prevent the same from being so covered, and may assess the cost or any portion thereof, of filling, upon such real estate and make the same a lien thereon, in which case said lien shall be preserved, enforced, and foreclosed as in other cases herein provided for.

Thirty-first—To provide for and regulate the manner of weighing of all food products and food stuffs, and hay, grain, straw, and coal, and the measuring and selling of firewood and of all fuel within the city, and to provide for the seizure and forfeiture of such articles offered for sale which do not comply with such regulations, and to examine, test and provide for the inspection and sealing of all weights and measures, throughout the city and enforce the keeping by traders and dealers, of proper weights and measures duly tested and sealed, and by ordinance provide a penalty for the using of false weights or measures.

Regulate weights and measures

Thirty-second—To restrain and punish vagrants, drunkards, drunkenness, disorderly persons, common prostitutes, mendicants, street walkers, street solicitors for alms or otherwise, street beggars, house beggars, and lewd persons; to suppress and abolish houses of assignation, or places resorted to by persons for the purpose of prostitution or immoral purposes; to prevent diseased, maimed, injured, or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish obscene language, or conduct, indecent exposure of person, loud and threatening or lewd language, or profane language in the presence and hearing of women or children, and all obnoxious, offensive, immoral, indecent, and disorderly conduct and practices in the city; to prevent and punish the discharging of firearms in the city, the lighting of fires in yards, streets, or alleys, or other unsafe places anywhere within the city; to prevent and punish the carrying of weapons, concealed or otherwise; to prevent and punish fast driving, fast horseback riding, or the riding or breaking to drive of wild or unmanageable horses in the city; to require that all horses when left standing shall be hitched to post or weight, and to prescribe the length of time any horse or animal may be allowed to remain tied, held, or otherwise kept on the streets or alleys of the city.

To punish and prevent vagrancy, etc.

Firearms

Regulating horses, etc.

Thirty-third—To prevent and punish all persons from showing, selling, or exhibiting for sale or in any manner publishing, any obscene or indecent drawings, engravings, paintings, books, or pamphlets, and all obscene or indecent exhibitions and shows of every kind.

Obscene literature, etc.

Thirty-fourth—To regulate the use and sale of water, gas, electric, and other lights in the city; to fix and determine the price as well as the rentals of all water, gas, and electric light

To regulate all meters

- Proviso meters within the city; and to provide for the inspection of such meters; to regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service, and connections within the city; *provided*, that nothing herein contained shall be held to supersede any state law upon this subject, so long as any such state law may be in effect.
- Public lighting Thirty-fifth—To provide for the lighting of the streets and public buildings and places of the city and to regulate such lighting.
- Lodging houses, etc. Thirty-sixth—To regulate lodging, tenement, and apartment houses having four or more lodgers; to prevent the overcrowding of the same, and to require the same to be kept in a sanitary condition.
- General power as to ordinances Thirty-seventh—To adopt and enforce by ordinance, all such measures and establish all such regulations in case no express provision is in this charter made, as the city council may from time to time deem expedient and necessary for the promotion and protection of health, comfort, safety, life, welfare, and property of the inhabitants of said city, the preservation of peace and good order, the promotion of public morals and the suppression and prevention of vice in the city, and to pass and enact ordinances on any other subject of municipal control, or to carry into force or effect any other powers of the city, and to do and perform any, every, and all acts and things necessary or required for the execution of the powers conferred or which may be necessary to fully carry out the purpose and intent thereof.
- To keep streams clean Thirty-eighth—To provide for the cleaning of the river, reservoirs, and streams of the city, and the ditches connected therewith, of all driftwood and noxious matter; to prohibit, prevent, and punish the depositing therein of any filth or other matter tending to make the waters thereof impure, unwholesome, or offensive.
- Bridging of waters Thirty-ninth—To require of all ditch or canal companies, persons, or individuals owning, operating, or controlling any ditch or canal running over or across any of the streets or alleys of the city to cause such ditch or canal to be completely bridged from side to side of such streets or alleys.
- Regulating slaughter houses, etc. Fortieth—To compel the owner of any grocery, tallow-chandler shop, soap or candle factory, butcher shop or stall, slaughter house, stable, barn, corral, sewer, privy, or other offensive, nauseous, or unwholesome place or house, to cleanse, remove, or abate the same, whenever the city council shall deem it necessary for the health, comfort, or convenience of the inhabitants of the city; the expense thereof to be paid by the person causing, maintaining, or committing the same.
- To employ competent mechanical supervisor Forty-first—To select, appoint, and employ an engineer, surveyor, architect, or other skilled mechanic or person from time to time, whenever in the judgment of the city council it shall be necessary or expedient for the purpose of supervising

and directing any public work; the salary or compensation, duties, and responsibilities of such person to be fixed, determined, and fully defined by ordinance.

Forty-second—To prescribe fines, forfeitures, and penalties for the breach or violation of any ordinance, or the provisions of this charter, but no penalty shall exceed the amount of five hundred dollars or six months imprisonment, or both such fine and imprisonment. To prescribe fines, etc.

Forty-third—To require of and prescribe the amount of official bonds from its members and all officers of the city, whether elective or appointive. Official bonds

Forty-fourth—To institute and maintain any suit or suits, civil or criminal, in the name of the city, in the proper court, whenever necessary, in the judgment of the city council to enforce or maintain any right of the city, and they may, in like manner, defend all actions against the city; to institute and maintain any suit to foreclose liens or otherwise, against any property owner refusing or neglecting to pay as assessed by the city council, his ratable proportion of the cost of paving, grading or otherwise improving any street, or building any sidewalk or other improvement, which benefits the property or owner thereof. To maintain suits at law

Forty-fifth—To hold, manage, use and dispose of all real and personal property of the city, and to enforce the payment and collection of all dues, assessments, or demands of every nature or kind, belonging or inuring to the city, but no sales of property belonging to the city shall be made until after it shall have been appraised by three disinterested appraisers, residents and taxpayers of the city, at the actual market value, nor shall it be sold for less than seventy-five per cent of such appraised value; *provided*, that no park or property acquired for park or public purposes shall be sold or in any manner disposed of. To buy and sell city property under restrictions

Forty-sixth—To prohibit the injury to or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference. To protect shrubbery

Forty-seventh—Any property, real or personal, necessary or required for the public use of the city, may be condemned and appropriated in the manner prescribed by general law and all rights of eminent domain may be exercised by the city in relation thereto. May condemn property—eminent domain

Forty-eighth—To change or enlarge the boundaries of any ward, by ordinance, so as to annex or include therein additional lands, with the tenements, property and inhabitants thereof; *provided*, the city council shall be first petitioned so to do by a majority of the persons of the district proposed to be so annexed; *and provided further*, that no change in the boundaries of any ward, except for the purpose of enlarging the same, shall be made within sixty days next preceding any To change wards  
Provisos

general city election, and in no event oftener than once every two years.

To tax  
parades

Forty-ninth—To suppress or regulate and collect a license tax on circus or other public parades through the streets of the city.

Fund for  
publicity  
purposes

Fiftieth—In its discretion, to provide and set aside yearly a reasonable fund, which once so provided and set aside shall not be increased, but may be diminished, during the year, for purposes of publicity.

Alternative  
ordinance at  
referendum  
elections

Section 13. The city council may, at such general or special election, submit an alternative ordinance for the choice of the electors, and any number of proposed ordinances may be voted on at the same election. The style of all ordinances voted on at any general or special election shall be as follows: "The People of the City of Reno do ordain."

Enacting  
clause

SEC. 6. Section 2 of article 14 of the above-entitled act is hereby amended so as to read as follows:

Municipal  
court, and  
police judge

Section 2. The municipal court shall be presided over by a police judge, who shall be a citizen of the state, a *bona fide* resident of the city for a period of at least one year next preceding his election, and he shall be an elector and taxpayer in the city. He shall be elected by the qualified electors of the city at each general city election and shall hold office for the term of four years, and until his successor shall have been duly elected and qualified. He shall, before entering upon the discharge of his duties, make and execute to the city a good and sufficient bond in such sum and condition as the city council may prescribe, and the sureties thereon shall be subject to the approval of the city council.

Term,  
4 years

Bond

SEC. 7. Sections 1 and 7 of article 17 of the above-entitled act are hereby amended so as to read as follows:

Municipal  
election in  
May, 1915,  
and every  
four years

Section 1. The first municipal election hereunder shall be held in said city on the first Tuesday after the first Monday in May, 1915, and on the same day every four years thereafter, at which time there shall be elected one mayor, councilmen as hereinbefore provided, one city attorney, one city clerk, and one police judge. All elections held under this charter shall be governed by the provisions of the general election laws of the state, so far as the same can be made applicable and which are not inconsistent herewith. The conduct and carrying on of all city elections shall be under the control of the city council, and they shall by ordinance provide for the holding of the same, appoint the necessary officers thereof, and do all other or further things required to carry the same into effect.

Council to  
provide for  
election

Vacancies,  
certain, how  
filled

Section 7. If a vacancy occurs in the office of any officer, acting ex officio or otherwise, or in the event any officer acting ex officio as city officer shall refuse to act as ex officio city officer, and in all other cases of vacancy not otherwise provided for, the mayor shall, subject to confirmation by the city council, appoint some person possessing the requisite qualifications to fill such vacancy, and in case the person so nominated

is not confirmed by a majority vote of all the members elected, the mayor shall nominate another, and so on until the place is filled.

CHAP. 185—*An Act prescribing the official oath of the State of Nevada, and repealing a certain act.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Members of the legislature, and all officers, executive, judicial, and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath:

I, ----- do solemnly swear (or affirm) that I will support, protect, and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of -----, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

Form of official oath

SEC. 2. An act entitled "An act prescribing the official oath of the State of Nevada," approved January 16, 1865, is hereby repealed.

Repeal

CHAP. 186—*An Act to amend section 517 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 517 of "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, is hereby amended to read as follows:

Section 517. The two preceding sections shall not be construed as prohibiting any corporation, company, organization, or individual from giving in writing, at the time said employee leaves or is discharged from the service of said employer, a truthful statement of the reason for such leaving of the service or discharge of such employee, nor shall the foregoing sections be construed to prevent any employer from giving any employee or former employee any statement with reference to any meritorious services which said employee may have rendered to such employer, and it shall be the duty of the employer to supply

Truthful statement of discharge or leaving may be given employee

Recommendation may be given

"Employee"  
construed

Proviso

upon demand from employee, statements as provided in this section. The word "employee," as used in this act, shall be construed to mean every person who shall have entered upon service or employment of an employer, and such employment shall be deemed to commence from the date of the entry or performance of any service, and any contract of employment, rule, regulation, or device to the contrary shall be void; *provided*, that no such statement shall be required unless the employee shall have been in service for a period of not less than sixty days and that only one such statement shall be issued to such employee.

CHAP. 187—*An Act to provide for the compiling, reporting, printing, and distribution of the decisions of the supreme court of the State of Nevada, and repealing certain acts in conflict herewith.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Reporters of  
supreme  
court  
decisions,  
duties of

SECTION 1. The clerk of the supreme court and the official court reporter shall be ex officio reporters of decisions. Whenever any case is finally determined by the supreme court it shall be the duty of the reporters of decisions to make a synopsis of the opinion and decision of the supreme court in such case, together with a brief abstract of the briefs filed in the case, in so far as such briefs bear upon the points considered in the opinion of the court. A copy of the opinion, together with the synopsis of the same and the abstract of the briefs, shall be filed by the reporters of decisions with the superintendent of state printing.

Duties of  
reporters  
regarding  
printed  
volumes

SEC. 2. The reporters of decisions shall have such decisions, synopses, and abstracts of briefs, together with an index, table of cases, and of statutes and provisions of constitutions cited, printed and bound in volumes of the size, as nearly as may be, of the volumes heretofore published, and containing not less than five hundred pages each.

Proof sheets  
to be fur-  
nished

SEC. 3. The superintendent of state printing shall furnish the reporters of decisions with proof sheets for their verification and correction before publication in permanent form. It shall be in the discretion of the superintendent of state printing, whenever the material furnished by the reporters of decisions will make a folio of sixteen pages, to print a sufficient number of such folios for the permanent volume hereinafter provided for. He may also print, on cheap paper, not for binding, a number of such folios, which may be sold by the superintendent of state printing, at a price sufficient to cover the cost of the same, to subscribers for the permanent volumes.

Advance  
sheets, when



SEC. 4. The title of each of the above-mentioned volumes shall be "Nevada Reports," which title, together with the name of the clerk of the supreme court and the number of the volume, shall be printed on the back of each book.

Title,  
"Nevada  
Reports"

SEC. 5. The work of the reporters of decisions in preparing the material for the "Nevada Reports" shall be under the direction and supervision of the justices of the supreme court.

Under super-  
vision of  
supreme  
Justices

SEC. 6. It shall be the duty of the stenographic clerks of the supreme court, without additional compensation, to assist the reporters of decisions in the preparation of the material for such "Nevada Reports." Immediately upon the filing of any decision by the supreme court it shall be the duty of the official court reporter to mail a copy of such decision to counsel upon each side of the case, which copy shall bear the certificate of the official court reporter to be a full, true, and correct copy of such decision.

Stenog-  
raphers to  
assist

SEC. 7. The official court reporter, for his services as a reporter of decisions, shall receive a salary of three hundred dollars per annum, payable in equal monthly installments, which shall be in addition to his salary as official court reporter, now prescribed by law.

Additional  
salary for  
official court  
reporter

SEC. 8. The superintendent of state printing shall cause to be printed upon good paper and in workmanlike manner eleven hundred copies of each volume of decisions hereafter published, which shall be disposed of as follows: Six hundred copies shall be bound in buckram and shall be delivered to the secretary of state, for the purposes hereinafter specified, and five hundred copies shall be stored unbound by the superintendent of state printing, subject to the order of the secretary of state.

Style and  
size of vol-  
umes—num-  
ber printed

SEC. 9. On the receipt of each volume of said reports from the superintendent of state printing, the secretary of state shall distribute them in the following manner: To each state and territory, one copy; to each of the heads of departments at Washington, one copy; to the library of Congress, two copies; to each of the judges of the United States circuit and district courts in the states of Nevada, California, and Oregon, one copy; to the Nevada state library, two copies; to each state officer, justice of the supreme court, clerk of the supreme court, district judge, district attorney, county clerk, and justice of the peace in this state, one copy; and to each public library within this state, one copy. He shall distribute to literary and scientific institutions, publishers, and authors as in his opinion may secure an interchange of works which may properly be placed in the state library. The remaining copies shall be held for sale at the price of two dollars per volume.

How free  
distribution  
made

Price \$2 per  
volume

SEC. 10. Those certain acts entitled respectively "An act to provide for the publication and distribution of Nevada Reports," approved March 1, 1883, and "An act to provide for compiling and reporting the decisions of the supreme court of the State of Nevada," approved March 26, 1909, and all other acts and parts of acts in conflict with the provisions of this act,

Certain acts  
repealed

Proviso as to  
37th Nevada  
Report

are hereby repealed; *provided*, that this act shall not apply to the preparation of the 37th Nevada Report, the material for which is now on hand, but that such 37th Nevada Report shall be prepared and published in accordance with the provisions of existing laws.

CHAP. 188—*An Act making it a misdemeanor to herd, graze, pasture, keep, maintain, or drive live stock upon, over, or across certain lands.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Live stock  
not to tres-  
pass on  
water supply  
of town of  
1,500 or more

SECTION 1. It shall be unlawful for any person, persons, firm, corporation, or association, owning or having charge of any live stock, to herd, graze, pasture, keep, maintain, or drive the same upon, over, or across any lands lying within one mile of any surface intake, intakes, water-boxes, or surface reservoirs, used for gathering, storing, and conducting water, when said lands are situated within the watershed of any stream, streams, springs, ponds, lakes, or reservoirs, waters from which, when so gathered and stored, are used for municipal, drinking, or domestic purposes by the residents and inhabitants of any city or town in the State of Nevada having a population of fifteen hundred or more people.

Not to apply  
to pros-  
pectors

SEC. 2. Section 1 of this act shall not be construed to apply to prospectors or other persons passing over or being temporarily upon said lands with not to exceed ten head of live stock. Neither shall said section apply to live stock running at large upon the ranges.

Each day's  
trespass a  
separate  
offense

SEC. 3. That each and every day the said acts so declared to be unlawful in section 1 hereof are committed, done, and continued shall constitute and be separate, distinct, and new offenses, and any person violating any of the provisions of said section shall be guilty of a misdemeanor, and upon conviction shall, for each and every offense, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail not more than six months, or by both such fine and imprisonment.

Penalty

Repeal

SEC. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

In effect

SEC. 5. This act shall take effect and be in force from and after its passage and approval.

CHAP. 189—*An Act granting aid to the state agricultural society for the purpose of holding state fairs during the years 1915 and 1916, and to erect, maintain, and improve the buildings and grounds of the society for the years 1915 and 1916.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of five thousand dollars for each of the years 1915 and 1916 is hereby appropriated, out of any moneys in the general fund of the state treasurer not otherwise specifically appropriated, to aid the state agricultural society in holding annual fairs in each of said years. \$5,000 for state agricultural society for 1915 and 1916

SEC. 2. The sum of three thousand dollars for the year 1915 is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise specifically appropriated, to aid the state agricultural society in erecting, maintaining, and improving the buildings and grounds of the society; *provided*, that without any expense to the state, the said society secure the necessary grounds on which to hold said annual fair or fairs. \$3,000 for buildings, improvements, etc.  
No expense for grounds

SEC. 3. The moneys hereby appropriated shall be used for the payment of such premiums as may be awarded, and for such purposes as said society may, through its board of directors, deem just and proper; *provided*, none of the moneys herein appropriated shall be used by said board of directors, either directly or indirectly, to pay any purse or purses for racing. Use of money for premiums, horse-racing excepted

---

CHAP. 190—*An Act to amend sections one, four, eight, ten, twenty-one, twenty-two, twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-two, forty, forty-one, and forty-three of an act entitled "An act relating to the compensation of injured workmen in the industries of this state and the compensation to their dependents where such injuries result in death, creating an industrial insurance commission, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and defining and regulating the liability of employers to their employees; and repealing all acts and parts of acts in conflict with this act," approved March 15, 1913.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of an act entitled "An act relating to the compensation of injured workmen in the industries of this state and the compensation to their dependents where Amending industrial insurance law

such injuries result in death, creating an industrial insurance commission, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and defining and regulating the liability of employers to their employees; and repealing all acts and parts of acts in conflict with this act," approved March 15, 1913, is hereby amended to read as follows:

Employer  
presumed to  
have  
accepted  
terms of  
act, when

Section 1. (a) Except as by this act otherwise provided, it shall be conclusively presumed that every employer, as defined by this act, has elected to provide, secure, and pay compensation according to the terms, conditions, and provisions of this act for any and all personal injuries by accident sustained by an employee arising out of and in the course of the employment; and in such cases the employer shall be relieved from other liability for recovery of damages or other compensation for such personal injury unless by the terms of this act otherwise provided.

Compulsory  
on state,  
cities, school  
districts, etc.

(b) Where the state, county, municipal corporation, school district, cities under special charter and commission form of government, or contractors under the state, county, municipal corporation, school district, or cities under special charter or commission form of government is the employer, the terms, conditions, and provisions of this act for the payment of compensation and amount thereof for such injury sustained by an employee of such employer shall be exclusive, compulsory, and obligatory upon both employer and employee.

Employers  
rejecting law  
shall not  
escape legal  
liability  
because—

(c) If an employer having the right under the provisions of this act to elect to reject the terms, conditions, and provisions thereof, and in such case exercises the right in the manner and form by this act provided, such employer shall not escape liability for personal injury sustained by an employee of such employer when the injury sustained arises out of and in the usual course of the employment, because:

Employee  
assumes  
incident risks

(1) The employee assumed the risks inherent or incidental to, or arising out of, his or her employment; or the risks arising from the failure of the employer to provide and maintain a reasonably safe place to work, or the risks arising from the failure of the employer to furnish reasonably safe tools or appliances, or because the employer exercised reasonable care in selecting reasonably competent employees in the business;

Negligence  
of coem-  
ployee  
Employee  
self-  
negligent

(2) That the injury was caused by the negligence of a coemployee;

(3) That the employee was negligent, unless and except it shall appear that such negligence was wilful and with intent to cause the injury, or the result of intoxication on the part of the injured party;

Negligence  
of employer  
presumed,  
when

(4) In actions by an employee against an employer for personal injuries sustained arising out of and in the course of the employment where the employer has elected to reject the provisions of this act, it shall be presumed that the injury to

the employee was the first result, and growing out of the negligence of the employer; and that such negligence was the proximate cause of the injury; and in such case the burden of proof shall rest upon the employer to rebut the presumption of negligence.

Every such employer shall be conclusively presumed to have elected to provide, secure, and pay compensation to employees for injuries sustained arising out of and in the course of the employment according to the provisions of this act, unless and until notice in writing of an election to the contrary shall have been given to the employee by posting the same in some conspicuous place at the place where the business is carried on, and also by filing notice with Nevada industrial commission, with return thereon by affidavit, showing the date notice was posted, as by this act provided, substantially in the following form:

Employer presumed to have elected to pay compensation, when

EMPLOYER'S NOTICE TO REJECT

To the Employees of the Undersigned, and the Nevada Industrial Commission:

Employer's notice to reject

You and each of you are hereby notified that the undersigned rejects the terms, conditions, and provisions to provide, secure, and pay compensation to employees of the undersigned for injuries received as provided in the act of the legislature of the State of Nevada known as the Nevada industrial insurance act, and elects to pay damages for personal injuries received by such employees under the common law and the statutes of this state modified by subdivisions 1, 2, 3, and 4, of section 1 of said Nevada industrial insurance act and acts amendatory thereto.

Signed.....

State of Nevada, County of....., ss.

The undersigned, being duly sworn, deposes and says that a true, correct, and verbatim copy of the foregoing notice was on the .....day of ....., 19...., posted at ..... (state fully place where posted).

Subscribed and sworn to before me by..... this..... day of....., 19.....

.....  
Notary Public.

The employer shall keep such notice posted in some conspicuous place which shall apply to the employees subsequently employed by the employer with the same force and effect and to the same extent and in like manner as employees in the employ at the time the notice was given.

Notice must be posted

Where neither the employer nor the employee has given notice of an election to reject the terms of this act every contract of hire, express or implied, shall be construed as an implied agreement between them, and a part of the contract on the part of the employer to provide, secure, and pay, and

Agreement to pay, understood, when

on the part of the employee to accept, compensation in the manner as by this act provided for all personal injuries sustained arising out of and in the course of the employment.

SEC. 2. Section 4 of the said act is hereby amended to read as follows:

Employer's  
notice to  
reject con-  
tinuous  
until—

Section 4. (a) When the employer or employee has given notice, in compliance with this act, electing to reject the terms thereof, such election shall continue and be in force until such employer or employee shall thereafter elect to come under the provisions of this act as provided in subsection (b) of this section.

Previous no-  
tice waived,  
and election  
filed with  
commission

(b) When an employer or employee rejects the terms, conditions, or provisions of this act, such party may at any time thereafter elect to waive the same by giving notice in writing in the same manner required of the party in electing to reject the provisions of this act, and which shall become effective when filed with the Nevada industrial commission.

SEC. 3. Section 8 of the said act is hereby amended to read as follows:

Nevada  
industrial  
commission  
created

Section 8. (a) The administration of this act on and after April 1, 1915, is hereby imposed upon a commission to be known as the "Nevada Industrial Commission"; and said commission, to consist of three commissioners, is hereby created. The governor, attorney-general, and inspector of mines, shall constitute an industrial commission board for the appointment of such commissioners. Vacancies shall be filled in the same manner for unexpired terms. No more than two of the commission shall be members of the same political party at the date of any appointment. Each commissioner shall hold office for the term of four years from and after date of his appointment, and until his successor shall be appointed and shall have qualified. One commissioner shall be designated by the governor to be, and upon being so designated shall be, chairman of the commission. A decision on any question arising under the act concurred in by two of the commissioners shall be the decision of the commission.

Vacancies

Term,  
4 years

Chairman  
Majority  
decides

Removals,  
how made

(b) The industrial commission board may remove any commissioner for inefficiency, neglect of duty, or misconduct in office, giving him a copy of the charges against him and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days' notice. If such commissioner shall be removed, the industrial commission board shall file in the office of the secretary of state a complete statement of all charges made against such commissioner, and the findings thereon, together with a complete record of the proceedings.

Compensa-  
tion of  
members

Executive  
officer

(c) Each commissioner shall receive as compensation for his services the sum of ten dollars per day for all days in which he is actually engaged in the business of the commission which in no case shall exceed one hundred and fifty (\$150) dollars per month. The chairman shall also serve as executive



officer of the commission, in charge of the office and affairs of the commission, and shall be entitled to additional compensation for such service, which shall be fixed by the industrial commission board and approved by the governor. The executive officer of the commission shall not be financially interested in any business interfering or inconsistent with his duties. A member of the commission, or an employee of the commission, shall not serve on any committee of any political party.

SEC. 4. Section 10 of the said act is hereby amended to read as follows:

Section 10. The commission shall keep and maintain its office at the capitol, in the town of Carson City, Nevada, and shall be provided by the board of capitol commissioners with suitable rooms. Except in cases of emergency, all necessary printing, including forms, blanks, envelopes, letterheads, circulars, pamphlets, bulletins, and reports required to be printed by said commission shall be done at the state printing office, and it is made the duty of the state printer to have such printing done as expeditiously as possible.

SEC. 5. Section 21 of the said act is hereby amended to read as follows:

Section 21. (a) Every employer coming within the provisions of this act shall, on or before the fifteenth day of each and every month pay to the Nevada industrial commission for the state insurance fund, in accordance with the following schedule, a sum equal to a percentage of his total pay-roll for the preceding month, to wit:

CONSTRUCTION WORK—INITIAL PREMIUM RATES

	Percentage rate of payments
Tunnels; bridges; trestles; subaqueous works, ditches and canals (other than irrigation without blasting); fire escapes; sewers; house moving; house wrecking....	.035
Iron or steel structures or parts of structures.....	.040
Electric-light or power plants, or systems; telegraph or telephone systems; pile driving; steam railroads.....	.050
Steeple, towers, or grain elevators, not metal framed; chimneys; water-works or systems; electric railways with rock work or blasting; blasting; erecting fire-proof doors or shutters.....	.050
Steam heating plants; tanks, water towers or windmills, not metal frames.....	.040
Shaft sinking.....	.030
Concrete buildings; freight or passenger elevators; fire-proofing of buildings; galvanized iron or tin works; gas works or systems; marble, stone or brick work; road work with blasting; roof work; safe moving; slate work; outside plumbing work; metal smokestacks or chimneys .....	.050
Excavations not otherwise specified; blast furnaces.....	.030
Street or other grading; cable or electric street railways without blasting; advertising signs; ornamental metal work in buildings.....	.025

Percentage  
rate of  
payments

Carpenter work not otherwise specified.....	.035
Installation of steam boilers or engines; placing wire in conduits, installing dynamos; putting up belts for machinery; marble, stone or tile setting, inside work; mantel setting; metal ceiling work; painting of buildings or structures; installation of automatic sprinklers; concrete laying in floors, foundations or street paving; asphalt laying; covering steam pipes or boilers; installation of machinery not otherwise specified.....	.030
Drilling wells; installing electrical apparatus or fire-alarm systems in buildings; house heating or ventilating systems; glass setting; building hothouses; lathing; paper hanging; plastering; inside plumbing; wooden stair building; road making.....	.020

The absence of power-drive machinery does not exempt corporations named in this subdivision, nor the small number of employees engaged, nor the short time required to accomplish the work.

OPERATION (INCLUDING REPAIR WORK) OF  
(All combinations of material take the higher rate when not otherwise provided.)

#### OPERATION AND REPAIR WORK

Logging railroads; railroads; dredges; interurban electric railroads using third-rail system.....	.025
Electric-light or power plants; interurban electric railroads not using third-rail system; quarries.....	.025
Street railways; all employees; telegraph or telephone systems; stone crushing; blasting furnaces, smelters; coal mines; gas works; steamboats; tugs; ferries.....	.030
Mines, other than coal; steam heating or power plants....	.025
Grain elevators; laundries; water-works; paper or pulp mills; garbage works.....	.020

#### FACTORIES USING POWER-DRIVEN MACHINERY—FACTORIES

Stamping tin or metal.....	.045
Bridge work; railroad car or locomotive making or repairing; cooperage; logging with or without machinery; saw mills; shingle mills; staves; veneer; box; lath; packing cases; sash, door or blinds; barrel; keg; pail; basket; tub; woodenware or wooden fiberware; rolling mills; making steam shovels or dredges; tanks; water-towers; asphalt; building material not otherwise specified; fertilizer; stone with or without machinery; kindling wood; masts and spars with or without machinery; canneries, metal stamping extra; creosoting works; pile-treating works.....	.020
Excelsior, iron, steel, copper, zinc, brass, or lead articles or wares not otherwise specified; hardware; tile, brick, terra cotta; fire clay; pottery; earthenware; ware; porcelain; peat fuel; briquets.....	.020

Breweries; bottling works; boiler works; foundries; machine shops not otherwise specified.....	.020	Percentage rate of payments
Cordage; working in foodstuffs, including oils, fruits, and vegetables; working in wool, cloth, leather, paper, broom, brush, rubber, or textiles not otherwise specified .....	.015	
Making jewelry, soap, tallow, lard, grease, condensed milk .....	.015	
Creameries; printing; electrotyping; photo-engraving; engraving, lithographing.....	.015	

MISCELLANEOUS WORK

Operating stock-yards, with or without railroad entry; packing-houses.....	.025
Artificial ice, refrigerating or cold storage plants; tanneries; electric systems not otherwise specified.....	.020
Theater stage employees.....	.015
Fireworks manufacturing.....	.050
Powder works .....	.100
All other employments not herein specified.....	.015

(b) The Nevada industrial commission shall have the power, as experience and conditions demand, to increase or decrease the rates above provided; sixty days' notice of any change in rates shall be given before the same shall become effective; the commission shall have the power, and it shall be their duty, to classify occupations with respect to their degree of hazard, and determine the risks of the different classes and fix the rates of premiums of the same, based upon the total pay-roll and number of employees in each of said classes of occupation sufficiently large to provide an adequate fund for the compensation provided for in this act, and to create a surplus sufficiently large to guarantee a satisfactory state insurance fund from year to year.

Rates may be increased or diminished by commission on 60 days notice

(c) In addition to the premiums which the employer is required to contribute to the state insurance fund, the employer shall furnish and promptly provide for an injured employee such medical, surgical, or hospital aid or treatment as may be reasonably required at the time of the injury, and thereafter during the disability, but not exceeding four months, to cure and relieve from the effects of the injury. If the employer neglects or refuses seasonably to do so, the injured employee may do so at the expense of the employer.

Employer must furnish injured employee hospital aid

To equalize the burden of the cost of medical, surgical, or hospital aid or treatment, as provided for in this section, mutual or cooperative arrangements may be made between the employer and employee, and the employer may assess each employee and deduct from the wages of each employee a sum not to exceed one dollar each month as the employee's contribution to a fund to provide medical, surgical, or hospital aid or treatment required by this act.

Hospital tax on wages

Any employer may jointly with other employers organize

Mutual societies. when	and maintain mutual or cooperative associations to furnish medical, surgical, or hospital aid or treatment equal to or greater than is provided for in this act.
Employer refusing hospital aid, action of commission	<p>In the event that any employer neglects or refuses seasonably to furnish the medical, surgical, or hospital aid or treatment provided for in this act, the injured employee may elect to receive such medical, surgical, or hospital aid or treatment provided by or through the Nevada industrial commission. If the injured employee elects to have such medical, surgical, or hospital aid or treatment provided by or through the Nevada industrial commission, the cause of action of said injured employee against the employer or hospital association shall be assigned to the Nevada industrial commission for the benefit of the state insurance fund, and the Nevada industrial commission shall furnish to said injured employee the medical, surgical, or hospital aid or treatment provided for in this act.</p>
Fees and charges regulated by commission	<p>All fees and other charges for such medical, surgical, or hospital aid or treatment shall be subject to regulation by the commission, and shall be limited to such charges as prevail in the same community for similar treatment of injured persons of like standard of living.</p>
Extra-hazardous business, rate increased without notice	<p>SEC. 6. Section 22 of the said act is hereby amended to read as follows:</p> <p>Section 22. Whenever an establishment or work is dangerous in comparison with other like establishments or works, the Nevada industrial commission may advance its classification of risk and premium rates in proportion to the hazard. Such advancement of classification of risks and premium rates may be made without previous notice.</p>
Rate of payments defined	<p>SEC. 7. Section 25 of the said act is hereby amended to read as follows:</p> <p>Section 25. Every employee or workman coming within the provisions of this act, who shall be injured by accident arising out of or in the course of employment, or his dependents, as hereinafter defined, shall be entitled to receive the following compensation:</p>
In case of death, to dependents	<p>If death results from the injury, compensation shall be paid to the dependents of deceased employee in monthly installments, as follows:</p>
Limited to \$4,000	<p>(a) If there be total dependents, compensation shall be paid only to such total dependents, as follows:</p> <p>1. To the dependent widow or widower, if there be no dependent children, forty per cent of the average monthly wage, but not less than twenty dollars nor more than sixty dollars per month for a period of one hundred months, but in no case to exceed the sum of four thousand dollars.</p>
To \$5,000	<p>2. To the dependent widow or widower, if there be one child or two children, fifty per cent of the average monthly wage, but not less than twenty dollars nor more than sixty dollars</p>

per month for a period of one hundred months, but in no case to exceed the sum of five thousand dollars.

3. To the dependent widow or widower, if there be more than two dependent children, sixty per cent of the average monthly wage, but not less than twenty dollars nor more than sixty dollars per month for a period of one hundred months, but in no case to exceed the sum of six thousand dollars.

To \$6,000

Compensation to the widow or widower shall be for the use and benefit of such widow or widower and of the dependent children and the Nevada industrial commission may, from time to time, apportion such compensation between them in such way as it deems best.

Commission may apportion compensation

4. If there be no dependent widow or widower, but a dependent child or children, compensation shall be allowed for the support of minor children under the age of sixteen years, the total amount thereof to be not less than ten dollars nor more than thirty-five dollars per month, to be fixed by the commission. The duration of such compensation shall also be fixed by the commission.

Minor children

5. If the deceased employee leaves dependents only partly dependent upon his earnings for support at the time of his injury, the monthly compensation to be paid shall be equal to the same proportion of the monthly payments for the benefit of persons totally dependent as the amount contributed by the employee to such partial dependents bears to the average wages of deceased at the time of his injury. The duration of such compensation to partial dependents shall be fixed by the commission, but in no case shall exceed one hundred months.

Partial dependents

6. In all other cases, questions of total or partial dependency shall be determined in accordance with the facts as the facts may be at the time of the injury; and in such cases, if there is more than one person wholly dependent, the death benefit shall be divided equally among them, and persons partially dependent, if any, shall receive no part thereof. If there is no one wholly dependent and more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of the dependency; *provided, however*, that when a lump sum is paid, as contemplated by this act, the commission, in making distribution thereof, shall take into consideration the contingent rights of partial beneficiaries, or the rights of those who may become such after a wholly dependent child or children becomes sixteen years of age.

Determination of questions of partial or total disability

7. If death results from the injury, burial expenses not to exceed the sum of one hundred and twenty-five dollars shall be paid in addition to the compensation payable under this act.

Burial expenses additional

#### TOTAL DISABILITY

For temporary total disability, compensation of fifty per cent of the average monthly wage, but not more than sixty

Total temporary disability

Permanent  
total disa-  
bility

dollars nor less than twenty dollars a month, but not exceed-  
ing one hundred months, during the period of such disability,  
total amount not to exceed five thousand dollars.

For permanent total disability, compensation of fifty per  
cent of the average monthly wage, but not more than sixty  
dollars nor less than twenty dollars a month, for a period not  
to exceed one hundred months, total amount not to exceed  
five thousand dollars.

Total  
disabilities  
specified

In case of the following specified injuries, the disability  
caused thereby shall be deemed total and permanent:

1. The total and permanent loss of sight in both eyes.
2. The loss by separation of both legs at or above the knee.
3. The loss by separation of both arms at or above the elbow.
4. The loss by separation of one arm at or above the elbow,  
and one leg by separation at or above the knee.
5. An injury to the spine resulting in permanent and com-  
plete paralysis of both legs or both arms.
6. An injury to the skull resulting in incurable imbecility  
or insanity.

Enumeration  
not exclusive

The above enumeration is not to be taken as exclusive, and  
in all other cases permanent total disability shall be deter-  
mined in accordance with the facts.

Previous dis-  
ability, how  
calculated

Where there has been a previous disability, as the loss of  
one eye, one hand, one foot, or any other previous permanent  
disability, the percentage of disability for a subsequent injury  
shall be determined by computing the percentage of the entire  
disability and deducting therefrom the percentage of the  
previous disability, as it existed at the time of the subsequent  
injury.

PARTIAL DISABILITY

Partial  
disability

For temporary partial disability, one-half of the difference  
between the wages earned before injury and wages which the  
injured is able to earn thereafter, but not more than forty  
dollars a month for a period not to exceed sixty months dur-  
ing the period of such disability.

In the case of any of the following specified injuries, the  
disability caused thereby shall be deemed a permanent par-  
tial disability and the amounts named shall be paid in addi-  
tion to compensation paid for temporary total disability:

Payments  
specified by  
percentage

1. For the loss of a thumb, fifty per cent of the average  
monthly wages during fifteen months.
2. For the loss of the first finger, commonly called the index  
finger, fifty per cent of the average monthly wages during  
nine months.
3. For the loss of a second finger, fifty per cent of the  
average monthly wages during seven months.
4. For the loss of a third finger, fifty per cent of the average  
monthly wages during five months.
5. For the loss of a fourth finger, commonly called the little  
finger, fifty per cent of the average monthly wages during  
four months.



6. The loss of the distal or second phalange of the thumb, or the distal or third phalange of the first, second, third, or fourth fingers, shall be considered a permanent partial disability and equal to the loss of one-half of such thumb or finger, and compensation shall be one-half of the amount specified for the loss of the entire thumb or finger. Payments specified by percentage

7. The loss of more than one phalange of the thumb or finger shall be considered as the loss of the entire finger or thumb; *provided, however*, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

8. For the loss of a great toe, fifty per cent of the average monthly wages during seven months.

9. For the loss of one of the other toes other than the great toe, fifty per cent of the average monthly wages during two and one-half months.

10. However, the loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be one-half of the amount above specified.

11. The loss of more than one phalange shall be considered as the loss of the entire toe.

12. For the loss of a hand, fifty per cent of the average monthly wages during forty months.

13. For the loss of an arm, fifty per cent of the average monthly wages during fifty months.

14. For the loss of a foot, fifty per cent of the average monthly wages during thirty-five months.

15. For the loss of a leg, fifty per cent of the average monthly wages during forty-five months.

16. For the loss of an eye, fifty per cent of the average monthly wages during twenty-five months.

17. For permanent and complete loss of hearing in one ear, fifty per cent of the average monthly wages during twenty months.

18. For permanent and complete loss of hearing in both ears, fifty per cent of the average monthly wages during sixty months.

19. The permanent and complete loss of the use of a finger, toe, arm, hand, foot, or leg may be deemed the same as the loss of any such member by separation.

20. The permanent and complete loss of sight in one eye may be deemed as the loss of one eye.

21. Facial disfigurement: For permanent disfigurement about the head and face, the commission may allow such sum for compensation thereof as it may deem just, not exceeding fifty per cent of monthly wages during twelve months. Facial disfigurement

In all cases of permanent partial disability, not otherwise specified in the foregoing schedule, the disability shall be determined according to the percentage thereof, taking into account, among other things, any previous disability, the occu- Regarding disability not specified

Regarding  
disability not  
specified

pation of the injured employee, the nature of the physical injury or disfigurement, and the age of the employee at the time of the injury; and the compensation paid therefor shall be the percentage of the disability caused by the injury times fifty per cent of the average monthly wage (but not more than fifty dollars a month) for not exceeding one hundred months during the life of the injured employee. Whenever the monthly payments under this subsection are so small that the payments thereof during the full period will work a hardship on the beneficiary, or be of no substantial benefit, the period may be shortened and the payments correspondingly increased in such a manner that the same may be of substantial benefit to the injured employee.

SEC. 8. Section 26 of the said act is hereby amended to read as follows:

Section 26. The following persons shall be conclusively presumed to be totally dependent for support upon a deceased employee:

Total  
dependents,  
who are

1. A wife upon a husband whom she has not voluntarily abandoned at the time of injury.

2. A husband, mentally or physically incapacitated from wage earning, upon a wife whom he has not voluntarily abandoned at the time of injury.

3. A natural, posthumous, or adopted child or children, whether legitimate or illegitimate, under the age of sixteen years, or over that age, if physically or mentally incapacitated from wage earning, upon the parent with whom he or they are living at the time of the injury resulting in the death of such parent, there being no surviving parent. In cases where there is more than one child thus dependent, the death benefit shall be divided between such dependents in such proportion as may be determined by the commission after considering the age of such dependents and other facts bearing on such dependency. Step-parents may be regarded in this act as parents, if the fact of dependency is shown, and a step-child or step-children may be regarded in this act as a natural child or children if the existence and fact of dependency is shown.

Dependents,  
how deter-  
mined

Questions as to who constitute dependents and the extent of their dependency shall be determined as of the date of the accident or injury to the employee and their right to any death benefit shall become fixed as of such time, irrespective of any subsequent change in conditions, and the death benefits shall be directly recoverable by and payable to the dependent or dependents entitled thereto, or to their legal guardians or trustees.

SEC. 9. Section 27 of the said act is hereby amended to read as follows:

Compensa-  
tion begins,  
when

Section 27. No compensation shall be paid under this act for an injury which does not incapacitate the employee for a period of at least seven days from earning full wages, but if

the incapacity extends beyond the period of seven days, compensation shall begin on the eighth day after the injury; *provided, however*, that if such disability continues for two weeks beyond the period of said seven days, such compensation shall be computed from the date of the injury. Proviso

SEC. 10. Section 28 of the said act is hereby amended to read as follows:

Section 28. Compensation payable under this act, whether determined or due, or not, shall not, prior to the issuance and delivery of the warrant therefor, be assignable; shall be exempt from attachment, garnishment, and execution, and shall not pass to any other person by operation of law; *provided, however*, that the payments to the consul-general, consul, vice-consul general, or vice-consul, of the nation of which any dependent of a deceased employee is a resident or subject, or a representative of such consul-general, consul, vice-consul general, or vice-consul, of any compensation due under this act to any dependent residing outside of the United States, any power of attorney to receive or receipt for the same to the contrary notwithstanding, shall be as full a discharge of the benefits or compensation payable under this act as if payments were made directly to the beneficiary. Cannot be assigned or attached

SEC. 11. Section 32 of the said act is hereby amended to read as follows:

Section 32. (a) Any workman entitled to receive compensation under this act is required, if requested by the commission, to submit himself for medical examination at a time and from time to time at a place reasonably convenient for the workman, and as may be provided by the rules of the commission. The request or order for such examination shall fix a time and place therefor, due regard being had to the convenience of the employee and his physical condition and ability to attend at the time and place fixed. The employee shall be entitled to have a physician, provided and paid for by himself, present at any such examination. If the employee refuses to submit to any such examination, or obstructs the same, his right to compensation shall be suspended until such examination has taken place, and no compensation shall be payable during or for account of such period. Any physician who shall make or be present at any such examination may be required to testify as to the result thereof. Injured party must submit to medical examination when requested

(b) If any employee shall persist in unsanitary or injurious practices which tend to either imperil or retard his recovery, or shall refuse to submit to such medical or surgical treatment as is reasonably essential to promote his recovery, the commission may, in its discretion, reduce or suspend the compensation of any such injured employee. Refusal stops compensation

(c) If, for the purpose of obtaining any benefit or payment under the provisions of this act, either for himself or for any other person, any one wilfully makes a false statement or misdeemeanor. Injurious practices suspends compensation

(c) If, for the purpose of obtaining any benefit or payment under the provisions of this act, either for himself or for any other person, any one wilfully makes a false statement or misdeemeanor. False statement a misdemeanor

ment or representation, he shall be guilty of a misdemeanor, and if a claimant he shall forfeit all right to compensation under this act after conviction for such offense.

SEC. 12. Section 40 of the said act is hereby amended to read as follows:

"State  
Insurance  
Fund"  
in state  
treasury

State  
treasurer  
responsible

State not  
liable

Section 40. (a) The premiums, contributions, penalties, properties, or securities paid, collected, or acquired by operation of this act shall constitute a fund to be known as the "State Insurance Fund." All disbursements from the state insurance fund shall be paid by the state treasurer upon warrants or vouchers of the Nevada industrial commission, authorized and signed by any two members of the commission. The state treasurer shall be liable on his official bond for the faithful performance of his duty as custodian of the state insurance fund. The State of Nevada shall not be liable for the payment of any compensation or any salaries or expenses in the administration of this act, save and except from the state insurance fund, but shall be responsible for the safety and preservation of the state insurance fund.

60 per cent of  
funds may be  
invested on  
approval of  
governor

Attorney-  
general shall  
investigate

Duties of  
state  
treasurer

Bonds sold,  
when

15 per cent of  
funds may be  
invested in  
Nevada  
banks—3 per  
cent or more  
interest

(b) The Nevada industrial commission may, pursuant to a resolution of the commission, approved by the governor, invest not to exceed sixty per cent of the amount of said fund in the bonds of the United States, in the bonds of this or other states, or in the bonds of any county of the State of Nevada, or other states. The commission shall make due and diligent inquiry as to the financial standing of the state or states, county or counties, whose bonds or securities it proposes to purchase, and shall also require the attorney-general to give his legal opinion in writing as to the validity of any act or acts of any state or county under which such bonds are issued.

All such bonds or securities shall be placed in the hands of the state treasurer, who shall be the custodian thereof. He shall collect the principal and interest thereon when due, and pay the same into the state insurance fund. He shall notify the Nevada industrial commission of the amounts so paid into the state insurance fund, giving full details of the transaction. The state treasurer shall pay all vouchers drawn on the state insurance fund for the making of such investments when signed by two members of the commission, upon delivery of such bonds or securities to him when there is attached to such vouchers a copy of the resolution of the commission authorizing the investment, approved by the governor, said copy to be certified by the secretary under seal of the commission. The commission may, upon like resolution approved by the governor, sell any of such bonds or securities.

(c) The state treasurer may, upon written authority of the Nevada industrial commission, approved by the governor, deposit an additional fifteen per cent of said fund in bank or banks in the State of Nevada upon special time deposits bearing interest at not less than three per cent per annum; *provided, however,* that such bank or banks in which deposits

may be made shall give to the Nevada industrial commission a good and sufficient surety deposit bond guaranteeing said Nevada industrial commission against any loss of said deposit by reason of failure, suspension, or otherwise of said bank. Interest earned by such portion of the state insurance fund which may be deposited in any bank or banks, as herein provided, shall be placed to the credit of the state insurance fund.

(d) Each member of the commission, before entering upon the duties of his office, shall take the oath prescribed by the constitution, and shall give good and sufficient bond running to the State of Nevada, in the penal sum of ten thousand dollars, conditioned that he shall faithfully discharge the duties of his office; said bonds shall be signed by a surety company duly authorized to do business in this state, or by two or more individuals as surety or sureties; shall be subject to approval by the governor, and shall then be filed with the secretary of state. If surety company bonds be furnished, the premium therefor shall be paid out of the state insurance fund as other expenses of the commission are paid.

Members  
must take  
official oath

Bond, \$10,000

(e) The commission shall have a seal upon which shall be inscribed the words "Nevada Industrial Commission—State of Nevada." Its seal shall be fixed to all orders, proceedings, and copies thereof, and to such other instruments as the commission may direct. All courts shall take judicial notice of such seal, and any copy of any record or proceeding of the commission certified under such seal shall be received in all courts as evidence of the original thereof.

Seal for  
commission

SEC. 13. Section 41 of the said act is hereby amended to read as follows:

Section 41. If a workman or employee within the provisions of this act, who has been hired in this state, and whose usual and ordinary duties of such employment are confined to the state, is sent out of the state on business or employment of his employer, and receives personal injury by accident arising out of and in the course of such employment, he shall be entitled to receive compensation according to the provisions of this act, even though such injury was received outside of this state.

Injury  
outside of  
Nevada,  
when  
receives  
same com-  
pensation

SEC. 14. Section 43 of the said act is hereby amended to read as follows:

Section 43. This act shall apply to all employers of labor in the State of Nevada and their employees and dependents of their employees, but excludes any employee engaged in farm or agricultural labor, stock or poultry raising, or household domestic service; and no contract of employment, insurance, relief benefit, or indemnity, or any other device shall modify, change, or waive any liability created by this act; and such contract of employment, insurance, relief benefit, or indemnity, or other device, having for its purpose the waiver or modification of the terms or liability created by this act, shall be void.

Farm labor  
and domestic  
service  
excluded

Contracts do  
not vitiate  
compensa-  
tion

CHAP. 191—*An Act to amend section 12 of an act entitled "An act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their duties and prescribing their compensation," approved March 26, 1907, being section 4597 of the Revised Laws of Nevada, 1912.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 12 of the above-entitled act is hereby amended so as to read as follows:

Sheep  
inspector  
must be  
notified in  
advance of  
arrival of  
foreign  
sheep

Sheep in  
transit on  
railroad  
excepted

Section 12. When any owner or person in charge of sheep shall bring such sheep into this state, entering from an adjoining state or territory for the purpose of grazing, such owner or person in charge shall notify the board, or any inspector or deputy, in writing, of such fact immediately before entering the state, stating the time when and the place where such sheep shall enter; *provided, however*, that sheep in transit on the cars shall not be required to be noticed unless they shall remain in the state, or are unloading to feed and rest for a longer period than forty-eight hours; *and provided further*, that it shall be the duty of any inspector, or deputy, to forthwith notify the sheriff of the county wherein such sheep have entered, or of any sheep from any other state or territory found trespassing within the state. Such notification shall be made by registered mail, in writing, or by telephone, or telegraph, or in person.

Repeal

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 192—*An Act to provide for the commission form of government for cities and towns.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Commission  
form of gov-  
ernment for  
towns and  
cities

Petition for  
election—15  
members  
constitute  
commission

SECTION 1. Any city or town in the State of Nevada may adopt the commission form of government and frame its own charter therefor.

SEC. 2. Whenever the qualified voters of any city or town desiring to adopt a commission form of government so declare their desire by filing with the legislative authority of such city or town, if incorporated, and if not incorporated by filing with the county commissioners of the county in which such city or town is located, a petition having the signatures of one-fourth of the qualified voters, voting at the last city or precinct election, embraced in the territory to be incorporated, if not incorporated, such legislative authority or county commissioners shall,



within twenty days after ascertaining that such petition contains the required number of signatures of the qualified electors therein, call an election, by ordinance or resolution, of the voters of such city or town, to be held therein, for the purpose of electing fifteen qualified electors, who shall have been residents of said city or town for the period of at least two years preceding their election, for the purpose of framing a charter for such city or town, having for its objects the commission form of government therefor. Qualifications

SEC. 3. Nominations for such electors shall be made by petition of one-fifth of the qualified voters of such city or town, and such nominations must be made and filed with the legislative authority of such city or town at least five days before the day of election as provided for in section 2 of this act, and the names of all candidates so filed shall be placed upon the official ballots to be voted at such election, which election shall be conducted under the general election laws of the state. Nominated by petition of 20 per cent of voters

SEC. 4. Within five days from the date of such election the legislative authority of such city or town, if incorporated, or the county commissioners, if unincorporated, shall meet and canvass the returns of such election and declare the result thereof and issue election certificates to the fifteen having the highest vote therefor. It shall be the duty of the persons so elected to convene within ten days after the election and frame a charter for such city or town; and within thirty days thereafter they, or a majority of them, shall submit such character to the legislative authority of such city or town or county commissioners, who shall, within five days thereafter, cause the same to be published in a newspaper published in said city or town, or in the county, if a newspaper be published therein, and if no newspaper be published in said city or town or county, by posting copies thereof in three of the most public places of such city or town, for the period of thirty days; and upon the affidavit of such publisher or of the person posting the same being filed with the clerk of such city or town, if incorporated, or with the county clerk, if unincorporated, showing a complete compliance with the above provision, that the same has been published or posted for the period of thirty days, which affidavit shall be made immediately after the last publication, if published and immediately after the posting, if posted, the legislative authority of such city or town, or the county commissioners in cases of unincorporated towns, shall, within five days thereafter provide for the submission thereof to the qualified voters of such city or town, giving at least ten, and not to exceed twenty, days notice in three conspicuous places in said city or town or embraced in the territory to be incorporated, which notice shall specify the object for which said election is called. Said election shall be conducted under the general election laws of the state and of the city or town. The form of ballot at such election shall be: "For the proposed charter," "Against the Canvass of returns of election  
Commission to frame charter  
Election for adoption or rejection of charter

Alternative  
proposition

proposed charter." In submitting such proposed charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the voters of such city or town and may be voted on separately without prejudice to others. In submitting such amendments, article, or proposition the form of ballot shall be: "For Article No. .... of the charter," "Against Article No. .... of the charter."

Charter  
becomes  
organic law,  
when

SEC. 5. The officers conducting such election shall make returns thereof within the time and in the manner provided by the election laws of such city or town or the state election laws, and the vote thereof shall be canvassed and the result declared as provided by such laws; and if upon such canvass it shall be found that a majority of the votes so cast at such election were cast in favor of the ratification of such charter, the same shall become the organic law of said city or town, and shall supersede any existing charter, and all amendments thereto and all special laws inconsistent therewith, when authenticated, recorded, and attested as herein provided. The mayor or the board of county commissioners of such city or town shall, thereupon, attach to said charter a certificate in substance as follows:

Form of  
certificate

I, \_\_\_\_\_, mayor (or chairman of the board of county commissioners, as the case may be) of \_\_\_\_\_, do hereby certify that in accordance with the terms and provisions of section eight of article VIII of the constitution, and the laws of the State of Nevada, the \_\_\_\_\_ of the city of \_\_\_\_\_ city or town of \_\_\_\_\_, duly caused a \_\_\_\_\_ election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, for the purpose of electing fifteen qualified electors to prepare a charter for the city of \_\_\_\_\_; that due notice of such election was given in the manner provided by law; that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, said election was held, and the votes cast thereat were duly canvassed by the legislative authority of said city or town, and the following-named persons were declared duly elected to prepare and propose a charter for said city or town of \_\_\_\_\_. That thereafter, to wit, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, said board of electors duly returned a proposed charter for the city or town of \_\_\_\_\_, signed by the following members thereof, to wit: \_\_\_\_\_. That thereafter such proposed charter was duly published in a newspaper, or posted in three of the most public places in said city or town, to wit: For a period of thirty days, said publication in said newspaper commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, or was posted on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_. That thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, at a \_\_\_\_\_ election duly called by the legislative authority of such city or town, the proposed charter was submitted to the qualified electors thereof, and the returns of such election were duly canvassed by the legislative authority thereof at a meeting held on the \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_, and the result of said election was found to be as follows: For said proposed charter, \_\_\_\_\_ votes; against said proposed charter, \_\_\_\_\_ votes. Majority for said proposed charter, \_\_\_\_\_ votes. Whereupon the said charter was duly ratified by a majority of the qualified electors voting at said election. And I further certify that the foregoing is a full, true, and complete copy of the proposed charter so voted upon and ratified as aforesaid. In testimony whereof, I hereunto set my hand and affix the corporate seal of said city or town at my office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Form of  
certificate

\_\_\_\_\_,  
Mayor of the city or town of \_\_\_\_\_.

Attest: \_\_\_\_\_, Clerk of the city or town of \_\_\_\_\_.

Such charter shall immediately thereafter be recorded by the clerk of said city or town in a book to be provided and kept for that purpose and known as the charter book of the city or town of \_\_\_\_\_, and when so recorded shall be attested by the clerk and mayor of said city or town under the corporate seal thereof, and thereafter any and all amendments to said charter shall be in a like manner recorded and attested, and when so recorded and attested all courts in this state shall take judicial notice of said charter and all amendments thereto.

Charter  
recorded

Judicial  
notice, when

SEC. 6. Any such city or town having adopted such a charter shall have, under said charter, all of the powers enumerated in the general laws of the state for the incorporation of cities and towns, and such other powers necessary and not in conflict with the constitution and laws of the State of Nevada to carry out the commission form of government; and such charter, when submitted, shall fix the number of commissioners, their terms of office, and their duties and compensation, and shall provide for all necessary appointive and elective officers, for the form of government therein provided, and fix their salaries and emoluments, their duties and powers, and shall fix the time for the first and subsequent elections for all elective officers, and after such first election and the qualification of the officers thereat elected the old officers, and all houses, boards, or officers shall be abolished, together with the emoluments thereof, and shall cease to exist; and if this form of government shall be adopted by any unincorporated city or town, the county commissioners shall fix the boundaries of such new city or town in accordance with the petition therefor, and shall, by resolution, declare such city or town duly incorporated under the provisions of this act.

City with  
such charter  
has all  
powers  
conferred by  
general laws  
of state

SEC. 7. Any city or town adopting a charter under the provisions of this act shall have all of the powers which are now or may hereafter be conferred upon incorporated cities and towns by the laws of the state, and all such powers as are usually exercised by municipal corporations of like character and degree, whether the same shall be specifically enumerated in this act or not.

Same

Referendum  
elections on  
amendments  
to charter

SEC. 8. Amendments to the charter adopted by any city or town under the provisions of this act may be proposed and submitted to the qualified voters by a majority of the commissioners, and shall be so submitted upon petition signed by ten per centum of the qualified voters, voting at the last regular city or town election, setting forth the proposed amendments, which submission shall be made at the next regular city or town election, and all such amendments submitted shall be placed upon the official ballot in the same manner as was the original charter.

SEC. 9. Nothing in this act shall be construed to apply to cities or towns having a population of eight thousand persons or more.

CHAP. 193—*An Act to amend section 4 of an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and amended March 20, 1909, and amended March 27, 1911.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 4 of the above-entitled act is hereby amended so as to read as follows:

Railroads  
must display  
schedules of  
passenger  
and freight  
rates, etc.

Section 4. Every railroad shall print in plain type, and file with the commission within a time fixed by the commission, schedules which shall be open to public inspection, showing all rates, fares, and charges for the transportation of passengers and property, and any service in connection therewith, which it has established and which are in force at the time between all points in this state upon its line, or any line controlled or operated by it, and the rates, fares, and charges shown on such schedules as are in effect at the date this act takes effect. The schedule printed as aforesaid shall plainly state the charges upon its line or any line controlled or operated by it in this state between which passengers and property will be carried, and there shall be filed therewith the classifications of freight in force. Every railroad shall publish with and as a part of such schedules all rules and regulations that in any manner affect the rates charged or to be charged for the transportation of passengers or property, also its charges for delay in unloading or loading cars, for track and car service, or rental, and for demurrage, switching, terminal, or transfer service, or for

rendering any other service in connection with the transportation of persons or property. Two copies of said schedules for the use of the public shall be filed and kept on file in every depot, station, and office of such railroad where passengers or freight are received for transportation in such form and place as to be accessible to the public and where they can be conveniently inspected. When passengers or property are transported over connecting lines in this state, operated by more than one railroad, and the several railroads operating such lines establish joint rates, fares, and charges, a schedule of joint rates shall also in like manner be printed and filed with the commission, and in every depot, station, and office of such railroads where such passengers or property are received for transportation.

Must be kept on file for easy use of public

Joint-rate schedule

a. No change shall thereafter be made in any schedule, including schedule of joint rates, or in any classification, except upon thirty days' notice to the commission, and all such changes shall be plainly indicated upon existing schedules, or by filing new schedules in lieu thereof thirty days prior to the time the same are to take effect; *provided*, that the commission upon application of any railroad, may prescribe a less time within which a reduction may be made. Copies of all new schedules shall be filed as hereinbefore provided in every depot, station, and office of such railroad ten days prior to the time the same are to take effect, unless the commission shall prescribe a less time.

Thirty days notice of change

Exception for reduction

b. Whenever a change is made in any existing schedule, including schedule of joint rates, a notice shall be posted by the railroad in a conspicuous place in every depot, station, and office, stating that changes have been made in the schedule on file specifying the class or commodity affected, and the date when the same will take effect.

Notice of change to be posted

c. It shall be unlawful for any railroads to charge, demand, collect, or receive a greater or less compensation for the transportation of passengers, property, or for service in connection therewith, than is specified in such printed schedule, including schedules of joint rates, as may at the time be in force, and the rates, fares, and charges named therein shall be the lawful rates, fares, and charges until the same are changed as herein provided.

Printed schedule charges must be adhered to

d. The commission may prescribe such changes in the form in which the schedules are issued by the railroad as may be found expedient, and such schedules shall, as far as practicable, conform to the forms prescribed by the interstate commerce commission.

Form changes may be prescribed by commission

e. Whenever there shall be filed with the commission any schedule stating a new individual or joint rate, fare, or charge, or any new individual or joint classification, or any new individual or joint regulation or practice affecting any rate, fare, or charge, the commission shall have, and it is hereby given,

New schedule may be suspended by commission until after hearing

New  
schedule  
may be  
suspended

authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders, without answer or other formal pleading by the interested railroad or railroads, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, fare, charge, classification, regulation, or practice; and pending such hearing and the decision thereon the commission, upon delivering to the railroad or railroads affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation, or practice, but not for a longer period than sixty days beyond the time when such rate, fare, charge, classification, regulation, or practice would otherwise go into effect; and after full hearing, whether completed before or after the date upon which the rate, fare, charge, classification, regulation, or practice goes into effect, the commission may make such order in reference to such rate, fare, charge, classification, regulation, or practice, as would be proper in a proceeding initiated after the rate, fare, charge, classification, regulation, or practice had become effective; *provided*, that if any such hearing cannot be concluded within the period of suspension, as above stated, the commission may, in its discretion, extend the time of suspension for a further period, not exceeding sixty days.

Proviso

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CHAP. 194—*An Act to authorize the board of county commissioners of the county of Elko, State of Nevada, to allow the appointment of certain deputy county officers under certain circumstances and fixing their compensation.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Deputies for  
county treasurer  
and  
district  
attorney of  
Elko County

SECTION 1. From and after the passage of this act, the board of county commissioners of the county of Elko, State of Nevada, when said board deem it necessary, shall allow the county treasurer and district attorney of said county to appoint a deputy or deputies for their offices, who shall serve as long as said necessity may continue, and said deputy or deputies shall be paid out of the general fund of said county at the rate of not to exceed the sum of one hundred and fifty dollars (\$150) per month.

Repeal

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

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**CHAP. 195—An Act making it the duty of the several county assessors of the State of Nevada to report to the secretary of state the ownership of and other information concerning motor vehicles within their respective counties.**

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** It shall be the duty of the several county assessors of the State of Nevada to report annually, in writing, to the secretary of State of Nevada, not later than the third Monday in January of each year, commencing in January, 1916, the name of each and every owner of any motor vehicle within his respective county, together with the name of the maker, factory number, style of vehicle, and motor power.

Assessors must report names of all owners of motor vehicles, etc., to secretary of state

**SEC. 2.** By "motor vehicle" is meant such vehicles propelled by any power other than muscular power; *provided*, that nothing herein contained shall apply to traction engines, road-rollers, street-cars, railway motors, or railway locomotives.

"Motor vehicle" defined

**CHAP. 196—An Act for the relief of certain persons, firms, associations, and corporations who advanced funds for the construction of the Nevada school of industry, in the county of Elko, State of Nevada, and authorizing the repayment of the same by the county of Elko, State of Nevada.**

[Approved March 22, 1915]

**WHEREAS**, During the twenty-sixth session of the legislature of Nevada, an act entitled "An act establishing a state institution for delinquent boys, providing for the purchase of a site, erection of buildings, organizing the government of said school, and providing for the maintenance thereof, and creating a tax levy to raise funds for such purposes," approved March 26, 1913, was passed, creating a Nevada school of industry and a commission for the construction of said school and the government thereof, and conditioned that the Nevada school of industry, therein created, should be located in the county of Elko, State of Nevada, upon land deeded to the state, without charge, and upon the payment to the commission, by the citizens of Elko, of the sum of five thousand dollars; and

To refund sums advanced for Nevada school of industry

**WHEREAS**, The commission provided in said act was duly appointed, and the conditions set forth in said act were duly complied with, and said school has been constructed; and

**WHEREAS**, No authority has been provided by which the said county of Elko could appropriate the said five thousand dollars; and

**WHEREAS**, In order not to delay the construction of said building, the following-named persons, firms, associations, and corporations paid and advanced to the said commission the

Persons and  
sums named

said sum of five thousand dollars, as is hereafter more particularly set forth, to wit: W. T. Smith Company, \$250; Elko Lumber Company, \$250; A. G. McBride, \$250; R. H. Mallett, \$250; Guy Saval, \$250; A. W. Hesson Company, \$250; Chris Eshleman, \$250; Doctors Hood & West, \$250; L. J. Wintermantel Company, \$250; Elko Hide and Junk Company, \$250; Mayer Hotel Company, \$250; George Russell, \$250; Elko Automobile Company, \$250; E. M. Steninger, \$250; Sutherland & McFarlane, \$250; Engler Company, \$250; E. Dotta, \$250; Thomas Hunter, \$250; First National Bank of Elko, \$250; and Henderson Banking Company, \$250; and

WHEREAS, Said sums were so advanced and paid, with the understanding that the same would be a charge against the town of Elko, State of Nevada, and be repaid by said town, as soon as an enabling act should be enacted by the legislature of the State of Nevada: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Elko county  
commis-  
sioners to  
allow sums  
as named

SECTION 1. That the board of county commissioners of the county of Elko, State of Nevada, be and is hereby authorized, empowered and directed, as soon as there be sufficient funds in the town government fund of the town of Elko, State of Nevada, upon presentation and proof that said sums have been paid to the commission for the establishment of the Nevada school of industry, to approve and allow on said fund, the claim of W. T. Smith Company, for the sum of two hundred fifty dollars (\$250); the claim of Elko Lumber Company, for the sum of two hundred fifty dollars (\$250); the claim of A. G. McBride, for the sum of two hundred fifty dollars (\$250); the claim of R. H. Mallett, for the sum of two hundred fifty dollars (\$250); the claim of Guy Saval, for the sum of two hundred fifty dollars (\$250); the claim of A. W. Hesson Company, for the sum of two hundred fifty dollars (\$250); the claim of Chris Eshleman, for the sum of two hundred fifty dollars (\$250); the claim of Doctors Hood & West, for the sum of two hundred fifty dollars (\$250); the claim of L. J. Wintermantel Company, for the sum of two hundred fifty dollars (\$250); the claim of Elko Hide and Junk Company, for the sum of two hundred fifty dollars (\$250); the claim of Mayer Hotel Company, for the sum of two hundred fifty dollars (\$250); the claim of George Russell, for the sum of two hundred fifty dollars (\$250); the claim of Elko Automobile Company, for the sum of two hundred fifty dollars (\$250); the claim of E. M. Steninger, for the sum of two hundred fifty dollars (\$250); the claim of Sutherland & McFarlane, for the sum of two hundred fifty dollars (\$250); the claim of Engler Company, for the sum of two hundred fifty dollars (\$250); the claim of E. Dotta, for the sum of two hundred fifty dollars (\$250); the claim of Thomas Hunter, for the sum of two hundred fifty dollars (\$250); the claim of First National Bank of Elko, for the sum of two hundred fifty

dollars (\$250); and the claim of the Henderson Banking Company, for the sum of two hundred fifty dollars (\$250).

SEC. 2. After the approval and allowance of said amounts, or any of them, by the said board of county commissioners of the county of Elko, State of Nevada, the said board of county commissioners are hereby authorized and directed to provide for and cause a special tax levy to be made against the property in the town of Elko sufficient to pay such claim as may be allowed, and the auditor of the county of Elko, State of Nevada, is hereby directed and required to draw his warrant in favor of the persons, firms, associations, and corporations above named, for the amounts specified in this act; and the treasurer of the county of Elko, State of Nevada, is hereby directed and required to pay the same.

Special tax  
levy on  
Elko town  
property

CHAP. 197—*An Act to amend section 807 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, being section 5749 of the Revised Laws of Nevada.*

[Approved March 22, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 807 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, is hereby amended so as to read as follows:

Section 807. A writ to attach the property of the defendant must be issued by the justice at the time of, or after, issuing summons, on receiving an affidavit by or on behalf of the plaintiff, showing the same facts as are required to be shown by the affidavit specified in section 206.

Writ of  
attachment  
must issue,  
when

CHAP. 198—*An Act to provide for the payment of retirement salaries to public school teachers of this state, and all matters properly connected therewith.*

[Approved March 23, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There are hereby established two funds in the state treasury, to be known, respectively, as the public school teachers' retirement salary fund and the public school teachers' permanent fund. The public school teachers' permanent fund shall be made up of all moneys received from the following sources, or derived in the following manner:

Retirement  
salaries for  
public school  
teachers

(1) All contributions made by teachers, as hereinafter provided;

Permanent  
fund, how  
provided

(2) The income and interest derived from the investment of moneys contained in such fund;

(3) An ad valorem tax of three mills on the hundred dollars of all taxable property in the state; and the board of county commissioners of the several counties shall, annually, at the same time other state taxes are levied, add this to the other taxes provided by law to be levied and collected, and it shall be annually collected at the same time and in the same manner as other state taxes are collected, and if, from any reason whatever, in any year said taxes are not levied as herein required, by the board of county commissioners, the county auditor shall enter them on the assessment roll as required by law for other taxes;

(4) All donations, legacies, gifts, and bequests which shall be made to such fund, and all moneys which shall be obtained or contributed for the same purposes from other sources.

Retirement  
salary fund,  
how made up

SEC. 2. The public school teachers' retirement salary fund shall be made up of such moneys as shall be transferred from time to time under authority of this act from the public school teachers' permanent fund.

Duties of  
controller  
and  
treasurer

SEC. 3. It shall be the duty of the state controller and of the state treasurer to make, when notified by the public school teachers' retirement salary fund board, or by the state superintendent of public instruction, under authority of this act, transfers of such amounts from the public school teachers' permanent fund to the public school teachers' retirement salary fund as will be sufficient to meet the claims which may be legally drawn against said public school teachers' retirement salary fund.

All teachers  
to contribute

SEC. 4. There shall be deducted each school year, commencing September, 1915, from the salary of every teacher subject to the burdens of this act, nine dollars, and every official whose duty it is to pay said teacher's salary shall make said deduction at such times of payment as shall be directed by the state board of education; the amounts thus deducted shall be deposited in the state treasury to the credit of the public school teachers' permanent fund, and shall constitute part thereof.

Who eligible  
to the  
benefits

SEC. 5. No person shall, except as hereinafter otherwise provided, be eligible to receive the benefits of this act who shall not have paid into said public school teachers' permanent fund an amount equal to nine dollars for each year of service up to and including thirty years; *provided, however*, that the difference between the amount actually paid by such teacher of thirty years' service and two hundred and seventy dollars, may be paid into said fund by such teacher at the time of retirement, with the same effect as if the full sum of two hundred and seventy dollars had been paid at the rate of nine dollars per year before retirement; or the sum of twenty dollars per month may be withheld from such teacher's retirement salary until the amount so withheld shall equal the difference between said

sum of two hundred and seventy dollars and the amount theretofore paid into said permanent fund.

SEC. 6. The state board of education shall constitute the public school teachers' retirement salary fund board. The president and secretary of the state board of education shall be the president and secretary, respectively, of said public school teachers' retirement salary fund board. Board of education to act

SEC. 7. The public school teachers' retirement salary fund board, subject to the provisions of this act, shall have power, and it shall be its duty: Powers of board

(1) To approve and allow retirement salaries of public school teachers entitled to the same under the provisions of this act;

(2) Through its president or other officer designated by it for that purpose, to audit all claims and demands for money expended or authorized to be expended by it, and certify all claims and demands against the public school teachers' permanent fund and the public school teachers' retirement salary fund, including all retirement salary demands, to the state controller, who shall draw his warrant therefor upon the state treasurer, payable out of said fund; *provided*, that no demand shall be allowed except after resolution duly passed at a meeting of the board by a majority of its members, which adoptions shall be attested by the secretary.

(3) To require the boards of education, school trustees, and other public authorities, and all officers having duties to perform in respect to the contributions by teachers to said permanent fund, to report to the board from time to time as to such matters pertaining to the payment of such contributions as it may deem advisable;

(4) To invest the moneys in the permanent fund in securities and to collect the income therefrom and interest and dividends thereon; to deposit such securities with the state treasurer, and to make sale of such securities when, in its judgment, such sale will be advisable; *provided*, that none of the moneys in the public school teachers' permanent fund shall be invested in any securities except such securities as those in which the funds of savings banks may be legally invested. The state controller is authorized to draw his warrant upon the public school teachers' permanent fund in payment of duly audited claims arising out of the investment of the moneys in said fund;

(5) To prescribe the duties of the secretary and other officers of the board;

(6) To conduct investigations in all matters relating to the operation of this act, and to subpoena witnesses and compel their attendance to testify before it in respect to such matters.

SEC. 8. Said public school teachers' retirement salary fund board shall meet at least once every three months, and at each quarterly meeting shall make a list of all persons entitled to payment out of the fund established by this act, and enter said list in a book to be kept by the board for that purpose, to be Meetings of board

known as the "Public School Teachers' Retirement Salary Fund Record." Said list shall be certified as correct by the president and secretary of the board, and shall always be open to public inspection. In the performance of the duties of the board, each member and secretary thereof may administer oaths and affirmations to witnesses and others transacting business with the board.

SEC. 9. The board shall make rules and regulations not inconsistent with the provisions of this act, which shall have the force and effect of law. Such rules and regulations shall:

Rules and  
regulations

(1) Provide for the conduct and regulation of the meetings of the board and the operation of the business thereof;

(2) Provide for the enforcement and carrying into effect of the provisions of this act;

(3) Establish a system of accounts showing the condition of the public school teachers' permanent fund and the public school teachers' retirement salary fund, and receipts and disbursements for and on account of said funds;

(4) Prescribe the form of warrants, vouchers, receipts, reports, and accounts to be used in respect to said funds;

(5) Regulate the duties of boards of education, school trustees, and other school authorities, imposed upon them by this act, in respect to the contributions by teachers to the public school teachers' permanent fund, and the deduction of such contributions from the teachers' salaries.

Rules to be  
enforced

SEC. 10. In addition to the powers hereinabove enumerated said board shall make and enforce all necessary and proper rules and regulations for the method or methods of applying for and obtaining retirement salaries provided for in this act, and for the method or methods of determining the right of each applicant to such retirement salary; *provided, however*, that in all cases legal proof of all necessary facts shall be required and kept on file.

Duties of  
deputy  
superin-  
tendents

SEC. 11. The deputy superintendent of schools of each supervision district shall report to the superintendent of public instruction, before the fifteenth day of July of each year, the amount that will be required during the current fiscal year to pay the retirement salaries to be paid in such supervision district, and said superintendent of public instruction shall determine from said reports the entire amount required to pay said retirement salaries during said current fiscal year. He shall report the amount required to make such payments to the public school teachers' retirement salary fund board, and thereupon said board shall notify the state controller and by resolution, duly adopted, shall direct him to make transfer of the needed amount from the public school teachers' permanent fund to the public school teachers' retirement salary fund. It shall be the duty of the state controller thereupon to make such transfer and to notify the state treasurer in order that he may make corresponding entry in the records of his office. When claims for payment of retirement salaries have been



duly audited under the provisions of this act the controller shall draw his warrant therefor upon the said public school teachers' retirement salary fund.

SEC. 12. Every public school teacher who shall have complied with all the requirements of this act, and who shall have served as a legally qualified teacher in the public schools, or partly as such teacher and partly as superintendent or supervising executive or educational administrator, for at least thirty school years, at least fifteen of which shall have been in the public schools of this state, including the last ten years of service immediately preceding retirement, under a legal certificate shall be entitled to retire; or if physically or mentally incapacitated for the proper performance of the duties of teacher, may be compelled to retire by the board of education, school trustees, or other school authorities employing such teacher. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive, during life, an annual retirement salary of five hundred dollars, payable in installments quarterly by warrant drawn as provided in section seven of this act; *provided*, that application for such salary be made within two years after the last month of service or within two years after the approval of this act.

Teachers may be compelled to retire after 30 years service, or for mental or physical incapacity

Annual retirement salary, \$500

SEC. 13. Any public school teacher who shall have complied with all the requirements of this act and who shall have served as a legally qualified teacher for at least fifteen years in the public schools of this state, and who shall have by reason of bodily or mental infirmity become physically or mentally incapacitated for further school service, under a legal certificate, shall be entitled to retire, or may, by the board of education, school trustees, or other school authorities employing such teacher, be compelled to retire. Upon retirement, voluntary or involuntary, such teacher shall be entitled to receive during the period of such disability, an annual retirement salary, payable in installments quarterly, which shall be the same fraction of the maximum retirement salary of five hundred dollars as said teacher's time of service is of thirty years; *provided*, that application for such retirement salary shall be made within two years of the last month of service or within two years after the approval of this act.

Teachers may retire after 15 years service

Salary, how determined

Proviso

SEC. 14. In counting actual experience for the purposes of this act, the state board of education shall determine what constitutes a school year; *provided*, that in no case shall leaves of absence amounting to school years, or half-school years, be counted as service.

Experience, how determined

SEC. 15. This act shall be binding upon all such teachers employed in the public schools of this state at the time of the approval of this act, as shall, on or before October 1, 1915, sign and deliver to the superintendent of public instruction and the deputy superintendent of schools of the supervision district in which said teachers are in service, a notification that

Act binding when teachers agree to its provisions

said teachers agree to be bound by and to avail themselves of the benefits of this act.

Binding  
upon new  
teachers

SEC. 16. This act shall be binding upon all teachers elected or appointed to teach in the public schools of this state after the approval of this act, who, not being in the service of the public schools at the time of the approval of said act, were not competent to sign or deliver the notification specified in section fifteen.

Reemploy-  
ment in  
public  
schools,  
retirement  
salary shall  
cease

SEC. 17. If any teacher retired under the provisions of this act shall be reemployed in the public schools of this state, such teacher's retirement salary shall cease; and if any teacher having qualified under section thirteen hereof returns to service in the public schools of the state and thereafter qualifies under section twelve hereof, there shall be deducted from the retirement salary payable to such teacher under the provisions of section twelve hereof the amount of retirement salary theretofore actually received by such teacher under the provisions of section thirteen hereof, such amount to be so deducted in equal quarterly installments until the whole amount so received under said section thirteen shall have been deducted; *provided, however*, that the amount of such deduction to be made quarterly shall not exceed thirty-five dollars.

Only one  
salary may  
be drawn;  
proviso

SEC. 18. No one shall be permitted to draw from the state, directly or indirectly, more than one retirement salary. Nothing in this act shall be so construed, however, as to prevent local communities or bodies of teachers from supplementing the retirement of salary received from the state.

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CHAP. 199—*An Act to amend section 9 of chapter 7 of "An act relating to elections and removals from office," approved March 31, 1913.*

[Approved March 23, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section nine of chapter seven of the above-entitled act is hereby amended so as to read as follows:

Right to vote  
at school  
election, how  
obtained

Section 9. No person shall be allowed to vote at any school election unless he or she is a resident of the district and his or her name appears upon the official registry list of the voting precinct or precincts including the district for the last preceding general election, or for the last preceding town or city election; *provided*, that any citizen of the United States who shall have resided in this state six months, and in the school district thirty days next preceding the day of election, and whose name is not upon the said official registry list, may apply to the clerk of the board of school trustees, or to a person

authorized by the trustees of the district to act as registry agent, not more than ten nor less than five days prior to the day of election, to have his or her name registered.

CHAP. 200—*An Act for the relief of Mrs. Joseph E. Stubbs, for money advanced by the late Joseph E. Stubbs for the construction of a house, known as the president's house, upon the campus of the University of Nevada.*

[Approved March 23, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of \$4,154.50, to be paid to Mrs. Joseph E. Stubbs, for moneys advanced by her husband, the late Joseph E. Stubbs, toward the construction of a house, known as the president's house, upon the campus of the University of Nevada. Relief of Mrs. J. E. Stubbs

SEC. 2. The state controller is hereby directed to draw his warrant for the amount of \$4,154.50, payable to Mrs. Joseph E. Stubbs, and the state treasurer is hereby directed to pay the same. Appropriation, \$4,154.50

CHAP. 201—*An Act to amend section 2 of an act entitled "An act concerning certain county officers in the county of Churchill, State of Nevada, fixing the salaries and compensation, and other matters properly relating thereto," approved March 13, 1913.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of said act is amended to read as follows:

Section 2. The sheriff and ex officio assessor and license collector shall receive the sum of \$2,000 per annum and his actual traveling expenses in all civil and criminal cases, which shall be in full compensation for all services rendered. All fees, commissions, and percentage authorized by law shall be collected by him—except he shall, on all money collected from sheep licenses, retain twenty per cent (20%) for his commission for collecting the same—and paid to the county treasurer on the first Monday of each and every month, and he shall, at the same time, prepare, and file with the county treasurer, a full and accurate itemized statement, under oath, of all such fees collected by him in his official capacity during the month previous, and also file a duplicate copy with the board of county commissioners. He is authorized to appoint a deputy; the salary of such deputy shall be \$100 per month; and such Fixing salary of sheriff of Churchill

other deputies as shall be authorized by the board of county commissioners, and at such time, and at such salary, not exceeding \$100 per month each, as said board may deem necessary; *provided*, not more than eighteen hundred (\$1,800) dollars per annum shall be paid to the deputies authorized by the county commissioners.

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**CHAP. 202—***An Act in relation to the state library, repealing certain acts in relation thereto, and amending section two of an act entitled "An act in relation to the state library," approved February 14, 1865.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** Section 2 of an act entitled "An act in relation to the state library," approved February 14, 1865, is hereby amended so as to read as follows:

Supreme  
court to be  
state library  
commission

State  
librarian to  
give bond

Assistant

Rules

Conflicting  
acts repealed

**Section 2.** The state library shall be under the control of a commission to be known as state library commission, which shall consist of the chief justice and the associate justices of the supreme court. The said state library commission shall appoint a state librarian, who shall hold office at the pleasure of the commission. The state librarian shall qualify according to law, and give a bond to the State of Nevada for the faithful performance of his duties in the sum of five thousand dollars. The state librarian shall be paid a salary of two thousand dollars per annum, payable in equal monthly installments, as other state salaries are paid. The state librarian shall appoint an assistant, who shall be approved by the state library commission, and who shall receive a salary of twelve hundred dollars per annum, payable in equal monthly installments as other state officers are paid. The state librarian shall be responsible for the safekeeping of all the property of the state library, and shall cause all books, maps, charts, pamphlets, and other documents thereof to be impressed with the proper stamp or seal, after the same has been procured. The state library commission may adopt rules and regulations for the government of the state library.

**SEC. 2.** An act entitled "An act to authorize the state librarian to appoint an assistant librarian, fixing the compensation for such assistant librarian, and repealing all acts in conflict therewith," approved March 23, 1909, and an act entitled "An act to consolidate certain state officers in the State of Nevada," approved February 20, 1893, are hereby repealed.

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CHAP. 203—*An Act creating the office of labor commissioner of this state, providing for the appointment of such commissioner and other employees, defining their duties and fixing their compensation, and providing a penalty for the violation of its provisions, and other matters relating thereto.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There is hereby created the office of labor commissioner of the State of Nevada, and one member of the Nevada industrial commission, other than a state officer, shall be designated by the governor to act as ex officio as such commissioner. Said commissioner shall receive as compensation for his services as labor commissioner a salary of six hundred (\$600) dollars per annum, payable in monthly installments out of the state treasury of Nevada as other salaries are paid. Said commissioner shall receive his actual traveling expenses when traveling in the discharge of his official duties, and may employ such clerical or stenographic assistance, not to exceed the sum of one thousand (\$1,000) dollars per annum, as may be approved by the board of examiners.

Member of industrial commission to be labor commissioner ex officio

SEC. 2. Said commissioner shall collect and systematize, and present in biennial reports to the governor and legislature, statistical details relating to labor in the state.

To make biennial report

SEC. 3. Said statistics may be classed as follows:

First—In agriculture.

Second—In mining.

Third—In mechanical and manufacturing industries.

Fourth—In transportation.

Fifth—In clerical and other skilled and unskilled labor not mentioned above.

Statistics regarding labor

Sixth—The number, age, sex, and condition of persons employed, the nature of their employment, the extent to which the apprenticeship system prevails in the various industries, the number of hours of labor per day, the average length of time employed per annum, and the net wages received in the industries and employments within the state.

Seventh—The number and condition of the unemployed, their age, sex, and nationality, and the cause of their unemployment.

Eighth—The sanitary conditions of workshops, dwellings, the cost of fuel, rent, food, clothing, and necessities of life; the extent to which labor-saving processes are employed in the displacement of labor.

Ninth—The number and condition of the Chinese and Japanese in this state, and to what extent their labor comes into competition with the other industrial classes of the state.

Tenth—The number and nature of the employment of inmates in state prisons and county jails, and the extent their

employment comes into competition with labor outside of these institutions.

Statistics  
regarding  
labor

Eleventh—The number of hospitals within the state; the number of hospitals maintained through cooperative arrangements between employer and employee; the cost of maintenance thereof; the amount of fees charged for hospital, medical, and surgical attention to employees in the state; the character of the arrangements and maintenance thereof between employer and employee; the sanitary condition and efficiency of such hospitals; the nature of their equipment and the character of services, expert and otherwise, rendered therein.

Twelfth—A description of the different kinds of labor organizations within the state, their objects, purposes, and accomplishments, as near as may be.

Thirteenth—The number of employment bureaus or agencies within the state, character, and nature of their business, requirements, fees, and service.

Fourteenth—All such other information in relation to labor as said commissioner may deem essential to further the objects of this act.

Labor com-  
missioner to  
enforce laws  
for protec-  
tion of  
working  
classes

SEC. 4. Said commissioner shall inform himself of all laws of the state for the protection of life and limb in any of the industries in this state, all laws regulating the hours of labor, the employment of minors, and all other laws enacted for the safety of the public and for the protection of employees; and it shall be the duty of said labor commissioner to enforce all such laws in the state, and whenever after due inquiry he shall be satisfied that any such law has been violated he shall present the facts to the district attorney of any county in which such violation occurred, and it shall be the duty of such district attorney to prosecute the same.

District  
attorney to  
prosecute

Cooperation  
with national  
and state  
labor depart-  
ments

SEC. 5. Said labor commissioner shall cooperate with such bureaus or departments of labor of the national government and other states as may be established.

All public  
officers to  
furnish  
information

SEC. 6. It shall be the duty of all state, county, and precinct officers to furnish upon written request of said labor commissioner all information in their power necessary to assist in carrying out the objects of this act.

Office hours

SEC. 7. The office of the bureau shall be open for business from 9 a. m. until 5 o'clock p. m. every day, except Sunday and the holidays observed by other state officers; and the officers shall give to all persons requesting it all needed information which they may possess; *provided*, that no information that is of such a nature that it would be against public policy and against the best interest of the bureau will be given to any one.

Proviso

Powers and  
duties of  
labor com-  
missioner

SEC. 8. Said labor commissioner shall have the power to examine witnesses, administer oaths, and take testimony in all matters relating to the duties and requirements of this act, and such testimony shall be taken in some suitable place



in the vicinity to which the testimony is applicable. Said labor commissioner may compel the attendance of witnesses, and may issue subpoenas; *provided, however*, that no witness fees shall be paid to any witness unless he be required to testify at a place more than five miles from his place of residence, in which event the witness shall be paid the same fees as a witness before a district court, such payment to be made from the fund appropriated for such purposes in the county in which the testimony is taken and witness examined in the same manner as provided for the payment of witness fees in the district court of such county. Any person duly subpoenaed under the provisions of this section, who shall wilfully refuse or neglect to testify at the time and place named in the subpoena, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Witnesses

Misdemeanor;  
penalty

SEC. 9. Said labor commissioner shall have the power to enter any store, foundry, mill, office, workshop, mine, or public or private works at any reasonable time for the purpose of gathering facts and statistics contemplated by this act, and to examine safeguards and methods of protection from danger to employees; the sanitary conditions of the buildings and surroundings, and make a record thereof; and any owner, corporation, occupant, or officer who shall refuse such entry to said labor commissioner, his officers or agents, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Power to inspect places of employment

Penalty for refusing entrance

SEC. 10. The labor commissioner is hereby authorized, with the approval of the board of examiners, to compile and issue such bulletins pertaining to labor and industries of the state as he may deem necessary, and such bulletins, when approved for printing and distribution, shall be printed at the state printing office.

Bulletins to be printed

SEC. 11. Said labor commissioner shall prepare forms and blanks for the purpose of gathering the information and statistics required by this act, and may require any person, firm, or corporation to give the information and statistical detail designated in such forms, and any person, firm, or corporation who shall refuse to furnish such detail and statistics in the form required shall be guilty of a misdemeanor, and upon conviction thereof may be fined not less than one hundred dollars nor more than five hundred dollars.

Forms and blanks to be prepared

SEC. 12. All forms, blanks, envelopes, letter-heads, and reports required to be printed by said labor commissioner may, with the approval of the state board of examiners, be printed at the state printing office.

Printing at state printing office

District  
attorneys to  
prosecute  
violators of  
labor laws

Appropriation,  
\$5,000

Office at  
capitol

SEC. 13. It shall be the duty of the district attorneys of the several counties, upon the complaint of the labor commissioner, to prosecute all violations of law which may be reported to said district attorney by the labor commissioner.

SEC. 14. For the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of five thousand (\$5,000) dollars. All salaries and expenses enumerated in this act shall be paid from the appropriation named in this section and shall in no manner be taken from the general fund of the state.

SEC. 15. The labor commissioner shall be provided with properly furnished offices at the capitol in Carson City, Nevada.

CHAP. 204—*An Act to empower the board of regents of the University of Nevada to establish emeritus positions, establishing the conditions and qualifications of those who shall benefit thereunder.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Emeritus  
positions  
authorized  
at university

SECTION 1. The board of regents of the University of Nevada are hereby empowered to establish emeritus positions. When it shall be found that an employee of the university, who has served the university for at least fifteen years continuously, has, because of physical or mental disability, become unfit for further service, or such an employee has left a widow with insufficient support, the board of regents may, upon recommendation of the president of the university and the approval of the governor of the state, place such individual or his widow upon the pay-roll of the university at a salary which shall not be more than one-half of the average salary received by the employee for the period of five years previous to the date of retirement. The regents of the university shall include in the estimates for maintenance a sum necessary to meet this expenditure.

CHAP. 205—*An Act to authorize and empower the board of county commissioners of Mineral County to issue bonds for the purpose of paying current expenses of Mineral County, State of Nevada.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of Mineral County, State of Nevada, whenever they deem the same to be

necessary and expedient, are hereby authorized and empowered to issue negotiable bonds of the said county for an amount not exceeding the sum of ten thousand dollars and in denominations of five hundred dollars each, and bearing interest at the rate of not exceeding seven per cent per annum, payable annually on the first day of January of each year, for the purpose of providing funds for paying the current expenses of Mineral County, State of Nevada, which bonds shall be consecutively numbered from 1 to 20. They shall be signed by the chairman of the board of county commissioners, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered and signed by the chairman of the board of county commissioners and the county treasurer.

Bonds for  
fund for  
current  
expenses of  
Mineral  
County

SEC. 2. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued.

Record to  
be kept

SEC. 3. The board of county commissioners of Mineral County is hereby authorized to negotiate the sale of said bonds by advertising for sealed proposals, or by private sale, or sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than their par value, and the bonds and the interest thereon shall be made payable in gold coin of the United States.

Negotiation  
of bonds

SEC. 4. On the first day of January of the year 1916, and annually thereafter not less than four of such bonds, together with the interest thereon, shall be paid and redeemed by the county treasurer of Mineral County. The payment and redemption of said bonds shall be in the order of their issuance, the lowest-numbered bond to be first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act shall have been paid and redeemed. The interest coupons shall be paid annually on the first day of January of each year.

Redemption  
of bonds

SEC. 5. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive the same, and to pay out said moneys in the manner now provided by law for the payment of the county's current expenses.

Treasurer to  
receive  
proceeds of  
sale of bonds

SEC. 6. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of Mineral County is hereby authorized and empowered to levy and collect annually a special tax on all property, both real and personal, subject to taxation, including the net proceeds of mines, within the boundary of Mineral County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest

Fund for  
interest and  
redemption  
of bonds

Special tax

on said bonds and to pay and retire the same as hereinabove provided. Such tax shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof shall be kept by the county treasurer, in a special fund to be known as Mineral County bond redemption fund.

Tax ceases,  
when

SEC. 7. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease.

Treasurer to  
cancel paid  
bonds

SEC. 8. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the sum so paid.

Interest  
ceases, when

SEC. 9. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on said bonds shall thereafter immediately cease.

Faith of state  
pledged

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full, as in this act specified.

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CHAP. 206—*An Act to provide for the assessment of patented mines, and to repeal all acts and parts of acts in conflict herewith.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

*Definition of Term "Patented Mine."*

"Patented  
mine"  
defined

SECTION 1. The term "patented mine," where hereinafter used in this act, shall be taken and deemed to mean each separate, whole, or fractional patented mining location, whether such whole or fractional mining location be covered by an independent patent or be included under a single patent with other mining locations.

*Patented Mines, Assessment of—Exception.*

Patented  
mine, assess-  
ment of—  
exception

SEC. 2. Each patented mine shall be assessed at not less than five hundred (\$500) dollars, except where one hundred (\$100) dollars in labor has been actually performed upon such patented mine during the calendar year for which assessment is levied or where bond and statement of intent to perform such labor has been properly filed and approved as provided in section 5 of this act, in addition to the tax on the net proceeds.

*Assessor to Assess All Patented Mines.*

SEC. 3. The county assessor shall assess each patented mine in his county at not less than five hundred (\$500) dollars and return the said assessment as is now required by law.

Assessor to  
assess all  
patented  
mines

*Board of Equalization to Strike from Rolls, When.*

SEC. 4. At the next succeeding session of the county board of equalization, or of any state board or commission now in existence, or that may hereafter be created by law for the purpose of equalizing property values, the owner of any such patented mine may appear before either of said boards in person or by an agent or attorney, and on presenting to either of said boards an affidavit that at least one hundred (\$100) dollars in labor has been actually performed upon said patented mine during the calendar year for which assessment is levied, the board to whom presentation is made shall strike from the roll the assessment against the patented mine named in such affidavit.

Board of  
equalization  
to strike  
from rolls,  
when

*May File Declaration of Intent to Perform Labor.*

SEC. 5. The owner or controller of patented mines on which one hundred (\$100) dollars in labor has not been performed at the time of the meeting of the county board, or any duly authorized state board or commission, may declare by properly executed affidavit to either of such boards his intention of performing such labor before the expiration of the then current calendar year; and upon filing such affidavit, together with a good and sufficient bond in the sum of one hundred (\$100) dollars for each patented mine to which the declaration of intent is applied (which bond must be acceptable to and approved by the county board of equalization, or any duly authorized state board or commission, as the case may be), the board then sitting may order such patented mine or mines stricken from the roll.

May file  
declaration  
of intent to  
perform  
labor

*To File Proof of Labor After Declaration of Intent.*

SEC. 6. The owner or controller of patented mines in favor of which bond and declaration of intent has been filed in accordance with the preceding section shall, on or before the tenth day of January of the next year succeeding the calendar year for which assessment has been levied, file with the board with which bond and declaration of intent was originally filed, an affidavit that at least one hundred dollars (\$100) in labor has been actually performed upon each patented mine covered by such bond and declaration of intent during the calendar year for which assessment was levied. Upon the filing of such affidavit of labor the bondsmen shall be released. Upon the refusal or neglect to file such affidavit within the time limit prescribed by this section, the county board of equalization, or the state board or commission, as the case may be, shall declare the bond forfeited and may proceed to collect the full amount thereof in an action at law, which action shall be prosecuted by the district attorney or attorney-general.

To file proof  
of labor after  
declaration  
of intent

*Affidavit of Labor Required—Form.*Affidavit  
of labor  
required

SEC. 7. The affidavit of labor required by this act shall particularly describe the work performed, and upon what portion of said mine, and when and by whom done, and may be substantially in the following form:

State of Nevada, County of \_\_\_\_\_, ss.

Form of  
affidavit

\_\_\_\_\_, being first duly sworn, on oath deposes and says: That at least one hundred (\$100) dollars worth of work or labor was performed upon the \_\_\_\_\_ patented mine \_\_\_\_\_, situated in the \_\_\_\_\_ mining district, county of \_\_\_\_\_, State of Nevada, during the calendar year 19\_\_\_. Such labor was done at the expense of \_\_\_\_\_, the owner (or one of the owners) of said patented mine\_\_, for the purpose of relieving the same from the assessment. Said labor was performed by \_\_\_\_\_ at about \_\_\_\_\_ feet in a \_\_\_\_\_ direction from the location monument, and was done between the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, and the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, and consisted of the following work: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_.

\_\_\_\_\_, Notary Public.

(Or other officer authorized to administer oaths.)

*Affidavit Made by Owner or Agent.*Affidavit  
made by  
owner or  
agent

SEC. 8. Such affidavit may be made by the owner or agent of the owner, or person performing the labor, or by any person familiar with the facts, on behalf of the owner.

*Contiguous Mines.*Contiguous  
mines

SEC. 9. The owner of two or more contiguous patented mines may perform all the work required by article X of the constitution of this state upon one mine only; *provided*, the aggregate amount of such work shall be equal to one hundred (\$100) dollars for each of such contiguous patented mines.

*Affidavit Filed.*Affidavit  
filed

SEC. 10. All such affidavits shall be filed and retained in the office of the county clerk.

*One Affidavit May Include Several Properties.*One affidavit  
may include  
several  
properties

SEC. 11. A single affidavit may be filed for the labor on several patented mines belonging to the same person or held in common ownership, provided all are located in the same county.

*Repealing Section.*Repealing  
section

SEC. 12. An act entitled "An act supplemental to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto, approved March 23, 1891,' approved March 12, 1913, and all other acts and parts of acts in conflict herewith, are hereby repealed.



**CHAP. 207—An Act to authorize and direct the commissioners of Douglas County, Nevada, to erect and construct a courthouse and jail at Minden, in said county, to issue bonds for the purpose of creating a fund for the payment thereof, and other matters properly relating thereto.**

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** The board of county commissioners of Douglas County, Nevada, are hereby authorized, empowered, and directed, and it is made their duty to erect a courthouse and county jail at what is known as the town or townsite of Minden, Douglas County, Nevada, before January 1, 1916, at the expense of said county, and at a cost of not more than \$25,000. Said board shall adopt plans and specifications for said building or buildings and advertise at least three weeks for bids for the construction of same in some newspaper of general circulation in said county; the contract shall be awarded for the construction thereof before August 1, 1915, and said building be completed and ready for occupancy by January 1, 1916; *provided*, that said commissioners may, if they deem it for the best interests of said county, erect and furnish said building or buildings without advertising for bids or letting any contract for the construction thereof; *provided further*, the commissioners have the right to reject any and all bids.

Bonds for  
courthouse  
and jail at  
Minden

Provisos

**SEC. 2.** The board of county commissioners of Douglas County, Nevada, are hereby authorized and empowered, and it is made their duty, to prepare and issue bonds of said county after the first day of May, 1915, for the sum of \$25,000, exclusive of interest, for the purpose of providing funds for the erection and furnishing of a courthouse and jail and the necessary county buildings in Minden, in said county.

Board to  
issue bonds—  
\$25,000

**SEC. 3.** Prior to June 1, 1915, the board of county commissioners of said county shall have said bonds prepared and ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bonds, and each of such coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Description  
of bonds

**SEC. 4.** The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Record to  
be kept

**SEC. 5.** The board of county commissioners of Douglas County are hereby authorized and directed, during the month of June, 1915, and continuing thereafter if necessary, to negotiate the sale of said bonds, and to sell the same by advertising for sealed proposals or by private sales, as they may deem

Negotiation  
of bonds

for the best interest of the county; *provided*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Denomina-  
tion of bonds

30 years  
limit

"Courthouse  
Bond Fund"

SEC. 6. Said bonds shall be each in the sum of two hundred and fifty dollars. They shall be numbered from one to one hundred consecutively; and the interest on the same shall not exceed six per cent per annum, payable annually in each year, at the office of the county treasurer of said Douglas County, and in no case shall any of said bonds run for a longer period than thirty years.

SEC. 7. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Douglas County are hereby authorized and required to levy and collect annually a special tax on the assessed value of all property, both real and personal, including proceeds of mines, within the boundaries of said Douglas County until such bonds and interest thereon shall have been fully paid, sufficient to pay the interest on said bonds, and to pay and retire five of said bonds annually after the first Monday in June, 1925. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Courthouse Bond Fund."

Interest and  
redemption

SEC. 8. It shall be obligatory on said county and its proper officers to fully pay the interest on said bonds annually, and to fully pay and retire five of said bonds in 1925, beginning with the first number thereof and so on consecutively, and annually thereafter, until such bonds and the interest thereon are fully paid, canceled, and retired, to pay and retire five of said bonds in such manner.

Tax ceases,  
when

SEC. 9. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners, be transferred to the general fund of said county.

Paid bonds,  
how  
canceled

SEC. 10. Whenever the county treasurer shall pay anything on the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amount so paid.

Interest  
ceases, when

SEC. 11. Should the holder of said bonds, or of any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Faith of state  
pledged

SEC. 12. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under

and by virtue thereof shall have been paid in full, as in this act specified.

CHAP. 208—*An Act to amend sections 74 and 376 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto" (being sections 5016 and 5318 of the Revised Laws of Nevada), approved March 17, 1911.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 74 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, being section 5016 of the Revised Laws of Nevada, is hereby amended to read as follows: Amending civil practice act

Section 74. Civil action in the district courts shall be commenced by the filing of a complaint with the clerk of the court, and the issuance of a summons thereon; *provided*, that after the filing of the complaint a defendant in the action may appear by answer, demurrer, or notice of motion filed in the cause, excepting motions to quash service, or denying the sufficiency of process or the jurisdiction of the court over the subject-matter or the person, whether the summons has been issued or not, and such appearance shall be deemed a waiver of summons. Civil action, how begun

SEC. 2. Section 376 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911, being section 5318 of the Revised Laws of Nevada, is hereby amended to read as follows: Further amended

Section 376. The verdict of the jury, the final decision in an action or proceeding, the findings of fact, conclusions of law made by the court, findings of the referee, an interlocutory order or decision finally determining the rights of the parties, or some of them; an order or decision from which an appeal may be taken; an order sustaining or overruling a demurrer; allowing or refusing to allow an amendment to a pleading, striking out or refusing to strike out a pleading, or a portion thereof, refusing a continuance, an order made upon *ex parte* application, an order or decision made in the absence of a party, an order granting or denying a nonsuit, or a motion to strike out evidence or testimony, and a ruling sustaining or overruling an objection to evidence, rulings of the court as to the competency of jurors, are deemed to have been excepted to. Matters deemed excepted to

CHAP. 209—*An Act to amend "An act fixing the compensation of certain county officers of Esmeralda County, in the State of Nevada; regulating their appointments, number, and compensation of their deputies and attachés, and requiring the said officers to make reports to the board of county commissioners of Esmeralda County, and repealing all acts and parts of acts in conflict herewith, effective January 1, 1915," approved March 25, 1913.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The following-named officers of Esmeralda County shall receive, in full payment of all services rendered by them, the following salaries:

Fixing  
salaries of  
Esmeralda  
county  
officers  
Sheriff

The sheriff, for services as sheriff, shall receive the sum of one thousand (\$1,000) dollars per annum, and for his services as ex officio county assessor the sum of two thousand (\$2,000) dollars per annum. The sheriff is hereby authorized to appoint one deputy sheriff, and said deputy shall receive a salary of six hundred (\$600) dollars per annum as deputy sheriff, and twelve hundred (\$1,200) dollars per annum as ex officio deputy county assessor, and he shall also appoint as many deputy assessors and deputy sheriffs as the board of county commissioners shall deem necessary, and said board of county commissioners shall fix the compensation of the deputies so appointed, and in no case shall the compensation exceed the sum of one hundred and fifty (\$150) dollars per month for each deputy so appointed.

Clerk

The county clerk, for services as county clerk, shall receive the sum of eight hundred (\$800) dollars per annum, and for services as ex officio county treasurer the sum of sixteen hundred (\$1,600) dollars per annum, and he shall appoint a deputy who shall receive as compensation, one hundred and fifty (\$150) dollars per month.

Recorder

The county recorder, for services as county recorder, shall receive the sum of eight hundred (\$800) dollars per annum, and for services as ex officio county auditor the sum of sixteen hundred (\$1,600) dollars per annum, and he shall also appoint a deputy who shall receive a compensation of one hundred and fifty (\$150) dollars per month.

District  
attorney

The district attorney of Esmeralda county shall receive the sum of twenty-four hundred (\$2,400) dollars per annum, and he shall also appoint as many deputies as the board of county commissioners shall deem necessary, and said board of county commissioners shall fix the compensation of the deputies so appointed.

Commis-  
sioners

The county commissioners of Esmeralda County shall receive the sum of six hundred (\$600) dollars per annum each, and mileage at the rate of ten (10) cents per mile in going to the county-seat when attending a session of the board; *provided,*

that the county commissioner elected at November election in the year 1912 for the term of four years, shall, until the expiration of his term of office receive the sum of seventy-five (\$75) dollars per month.

The above salaries shall be in full compensation for all services and ex officio services to be performed by the above-named officers, both civil and criminal, and all precentages collected by the sheriff, as sheriff and ex officio assessor, shall be paid into the treasury of Esmeralda County, and no fees of any kind or character shall be allowed the above-named officers, and they shall receive no other compensation but the salary herein named, and they shall make full, true, and correct reports of all fees collected by them monthly, to the board of county commissioners of Esmeralda County. The county commissioners of Esmeralda County are hereby authorized to allow the traveling expenses of all the above-named officers when traveling either in Esmeralda County or elsewhere in performing the duties of their offices.

All salaries named to be full compensation

All fees to county treasury

Traveling expenses allowed

SEC. 2. This act shall take effect from and after April 1, 1915.

In effect

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal

CHAP. 210—*An Act to provide a law for the conservation of underground waters, providing for the casing and capping of artesian wells, defining the underground waters which are governed by the laws relating to the appropriation of the public waters of the state, providing a penalty for the violation of the provisions of this act, and prescribing the duties of the district attorneys in relation thereto.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. All underground waters, save and except percolating water, the course and boundaries of which are incapable of determination, are hereby declared to be subject to appropriation under the laws of the state relating to the appropriation and use of water.

Under-ground water subject to appropriation

SEC. 2. Every person sinking or boring an artesian well in the state shall cause to be placed in such well a proper and sufficient casing, so arranged as to prevent the caving in of such well, and to prevent the escape of water therefrom through any intervening sand or gravel stratum, and shall provide the necessary valves and appliances to prevent or control the flow of water from such well.

Artesian wells to be properly encased

SEC. 3. No person controlling an artesian well shall suffer or permit the waters thereof to flow to waste, unless, and so far as reasonably necessary, to prevent the obstruction thereof, or to flow or to be taken therefrom, save for beneficial purposes.

Water not allowed to run to waste

District attorney to enforce this act

SEC. 4. Whenever it shall be called to the attention of the district attorney of any county of the state, by complaint or otherwise, that the proprietor of any artesian well, or any person controlling the same, has failed to install proper casing, valves, or appliances, or is permitting the waters thereof to run to waste, it shall be his duty to investigate such matters and, if it is found that any of the provisions of this act are being violated, to commence criminal action against such owner or proprietor.

Right of entry for public officers

SEC. 5. Any officer of the county or state shall have the right to enter the premises of any such owner or proprietor, where any such well is situated, at any reasonable hour of the day, for the purpose of investigating any matters in connection with this act.

Penalty

SEC. 6. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished as provided by law.

"Person" defined

SEC. 7. The word "person," as used herein, shall be interpreted to mean any firm, partnership, association, company, or corporation.

In effect

SEC. 8. This act shall take effect upon its passage and approval.

CHAP. 211—*An Act to amend section 27 of an act entitled "An act relating to marriage and divorce," approved November 28, 1861, the same being section 5843 of the Revised Laws.* [Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 27 of the above-entitled act is hereby amended so as to read as follows:

In certain divorce cases, wife entitled to same share of community property as though husband were dead

Woman remarries, alimony may go to minor children

Alimony pendente lite

Section 27. When the marriage shall be dissolved by the husband being sentenced to imprisonment, and when a divorce shall be ordered for the cause of adultery committed by the husband, the wife shall be entitled to the same proportion of his lands and property as if he were dead; but in other cases the court may set apart such portion for her support, and the support of their children, as shall be deemed just and equitable. In the event of the remarriage of the wife, and there being issue of the former marriage, the court in which the divorce was granted may, on proper showing for cause, enter an order that the alimony previously awarded, or part thereof, be paid as ordered by the court for the benefit of the minor children. In any suit for divorce now pending, or which may hereafter be commenced, the court or judge may, in its discretion, upon application, of which due notice shall have been given to the husband or his attorney, at any time after the filing of the complaint, require the husband to pay such sums as may be necessary to enable the wife to carry on or defend such suit,



and for her support and for the support of the children of the parties during the pendency of such suit; and the court or judge may direct the application of specific property of the husband to such object, and may also direct the payment to the wife for such purpose of any sum or sums that may be due and owing the husband from any quarter, and may enforce all orders made in this behalf, as provided in section 24 of this act. Procedure Orders

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CHAP. 212—*An Act for the relief of Dr. E. T. Krebs.*

[Approved March 24, 1915]

WHEREAS, John F. Byrne, an assemblyman from Esmeralda County, in the month of January, 1911, while in the service of the state and in the actual performance of his duties as such assemblyman, slipped upon the steps of the state capitol building and suffered a fracture of the right leg therefrom; and Preamble

WHEREAS, Dr. E. T. Krebs rendered medical services and furnished medicines in and about the treatment of said fracture to the amount of ninety-two (\$92) dollars; and

WHEREAS, The Legislature of the State of Nevada, at its twenty-fifth session, passed an act for the relief of said Dr. E. T. Krebs, on account of said medical services and medicines so furnished by him, in the amount of ninety-two (\$92) dollars; and

WHEREAS, The state controller of the State of Nevada refused to draw his warrant in payment of said claim because the same had not been passed on by the board of examiners of the State of Nevada before presentation to the legislature for relief; and

WHEREAS, The said J. F. Byrne afterwards paid said Dr. E. T. Krebs the sum of thirty-two (\$32) dollars, leaving a balance due of sixty (\$60) dollars; and

WHEREAS, The board of examiners has now passed upon said claim: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of sixty (\$60) dollars is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, for the payment of said claim of Dr. E. T. Krebs, and to compensate him for medical services rendered as aforesaid. Appropriation, \$60

SEC. 2. The state controller is hereby directed to draw his warrant in favor of Dr. E. T. Krebs for the sum of sixty (\$60) dollars, and the state treasurer is hereby directed to pay the same. Dr. Krebs to be paid

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CHAP. 213—*An Act to amend section five of an act entitled "An act creating the office of mineral land commissioner, defining his duties, and fixing his compensation therefor, and constituting the attorney-general ex officio mineral land commissioner."*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
mineral land  
commis-  
sioner act

SECTION 1. Section 5 of an act entitled "An act creating the office of mineral land commissioner, defining his duties and fixing his compensation therefor, and constituting the attorney-general ex officio mineral land commissioner," is hereby amended to read as follows:

Salary of  
commis-  
sioner, \$1,400  
per year

Section 5. The mineral land commissioner may appoint as many deputies as he may deem necessary for the carrying out of the provisions of this act. All fees or charges of such deputies shall be paid out of the salary herein provided for the mineral land commissioner. The mineral land commissioner shall receive a salary of fourteen hundred dollars per annum, payable in equal monthly installments, the same as the salaries of other officers of the state are paid, and the state controller is hereby authorized to draw his warrant and the state treasurer is hereby directed to pay the same out of any money not otherwise then especially appropriated. The state mineral land commissioner shall make no charge nor shall he receive any other fees than the salary herein provided.

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CHAP. 214—*An Act for the relief of the Raycraft Realty company.*

[Approved March 24, 1915]

Preamble

WHEREAS, The Raycraft Realty company, during the administration of Ray Baker as warden of the state prison, supplied the said warden automobile services, supplies, and repairs amounting to the sum of one hundred ninety-two and  $\frac{5}{100}$  dollars; and

WHEREAS, Owing to the absence of said Baker from the State of Nevada, and from the United States, it is impossible to secure the approval of said Baker to said bill; and

WHEREAS, The said claim is a just and legal claim against the State of Nevada, and should be paid: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation,  
\$192.50

SECTION 1. The state controller is hereby directed to draw his warrant in favor of said Raycraft Realty company in the sum of one hundred ninety-two and  $\frac{5}{100}$  dollars, and the state treasurer is directed to pay the same.

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CHAP. 215—*An Act authorizing the State of Nevada to transfer to the different funds of the University of Nevada certain bonds and moneys, and authorizing the board of regents of the University of Nevada to ascertain the amount of bonds and moneys so to be transferred.*

[Approved March 24, 1915]

WHEREAS, The United States of America donated to the State of Nevada certain public lands of the United States within the State of Nevada, known as the "90,000-Acre Grant," and "72-Section Grant," upon the condition that all moneys derived from the sale of said lands by the State of Nevada should be invested by said State of Nevada in stocks of the United States or of the states, or some other safe stocks, in such a manner that such funds so invested would yield not less than five per centum per annum upon the amount so invested, and that the principal thereof should forever remain unimpaired; and

Moneys from land grants to be transferred to university funds

WHEREAS, The moneys so derived by the State of Nevada from the sale of said lands have not been so invested by said State of Nevada in stocks or bonds producing an income of five per centum, but have been invested in bonds producing an income of less than five per centum; and

WHEREAS, Said State of Nevada accepted said grants of public lands so made to it by the United States, and agreed to the said condition imposed upon the State of Nevada by the terms of said grants; and

WHEREAS, It is the desire of the State of Nevada that the contract so entered into between it and the United States be performed:

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of regents of the University of Nevada is hereby directed, authorized, and empowered to examine and make an abstract of all records of the State of Nevada appertaining or in any wise relating to the sale of public lands of the United States donated to the State of Nevada under an act of Congress approved July 2, 1862, and under an act of Congress approved July 4, 1866, said lands being commonly known as the "90,000-Acre Grant," and the "72-Section Grant," and to ascertain and determine the amount of money received by the State of Nevada from the sale of said public lands, the disposition of the same by investment or otherwise, and the amount of interest or revenue received by the State of Nevada from the moneys so invested by it and to further ascertain and determine the difference, if any, between five per centum per annum on said principal sums so ascertained and the amount of interest received by the University of Nevada from the investments so made by the State of Nevada.

Regents to make abstract of records relating to sale of lands of "90,000-Acre Grant" and "72-Section Grant"

SEC. 2. The state controller, state treasurer, surveyor-general, and all other officers of the State of Nevada, are

Certain state  
officers to  
assist board  
of regents

hereby directed, authorized, and empowered to give to the board of regents of the University of Nevada, or their duly authorized agent, free and unlimited access to all the records, books, papers, and files of their respective offices, for the purpose of making said examination and abstract, and are further directed, authorized, and empowered to assist said board of regents in making said examination and abstract.

Certain  
bonds and  
securities  
to be trans-  
ferred to  
university  
funds

SEC. 3. When the principal sum derived by the State of Nevada from the sale of said public lands belonging to said "90,000-Acre Grant" and the said "72-Section Grant" shall have been ascertained by the board of regents as hereinbefore provided for, the State of Nevada is hereby directed, authorized, and empowered, by and through its proper officers or boards established or created by law, to transfer and deliver to the "University Fund, 90,000-Acre Grant," and the "University Fund, 72-Section Grant," bonds or other securities in the respective amounts of the principal sums derived from the sale of lands from said respective grants; said bonds or other securities so transferred to be such bonds or securities as produce a net income of five per centum per annum. Said bonds so to be transferred may be transferred from the state school fund.

May be  
transferred  
from state  
school fund

All state  
officers and  
boards to  
cooperate

SEC. 4. Every officer of the State of Nevada, and every board created by any law of the State of Nevada, are hereby directed, authorized, and empowered to do each and every thing necessary or appropriate to carry into effect the intent and purpose of this act.

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CHAP. 216—*An Act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, being section 3638 of the Revised Laws of 1912.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 16 of the above-entitled act is hereby amended so as to read as follows:

Every  
assessor to  
have list of  
taxpayers  
printed

Section 16. It shall be the duty of the assessor in each of the respective counties of the state, on or before the third Monday in July in each year, to prepare a printed list of all the taxpayers in the county and the total valuation of property on which they severally pay tax. A copy of said list shall be by the assessor delivered in person or mailed to each and every taxpayer in the county; *provided*, that the cost of printing the aforesaid list shall not exceed twenty cents for each name for as many copies as there are names on the list. The several boards of county commissioners in the state are authorized and empowered to allow the bill contracted by the assessor under

Limit of cost

this section and the several county auditors are authorized to draw their warrant in payment of the same.

SEC. 2. Section 23 of the above-entitled act is hereby amended so as to read as follows:

Section 23. The board of county commissioners of each county shall constitute a board of equalization, of which board the clerk of the board of county commissioners shall be the clerk. The board of equalization of each county shall meet on the fourth Monday of July in each year, and shall continue in session from time to time until the business of equalization presented to them is disposed of; *provided, however*, that they shall not sit after the second Monday in August. The board shall have power to determine the valuation of any property assessed, and may change and correct any valuation, either by adding thereto or deducting therefrom such sum as shall be necessary to make it conform to the actual cash value of the property assessed, whether said valuation was fixed by the owner or assessor; except that in case where the person complaining of the assessment has refused to give the assessor his list under oath, as required by this act, no reduction shall be made by the board in the assessment made by the assessor. If the board finds it necessary to add to the assessed valuation of any property on the assessment roll, they shall direct the clerk to give notice to the person so interested, by letter, deposited in the postoffice, or express, or otherwise, naming the day when they shall act in that case, and allowing a reasonable time to appear. As soon as possible after the adjournment of the board in August, its clerk shall make out a list of all persons who have not appeared before the board, the valuation of whose property has been added to on the assessment roll, and shall state the amount so added, and list of all property, the valuation on which has been added to on the assessment roll, with the amounts so added, the owners of which have not appeared before the board; and the board of county commissioners shall cause the same to be published in one newspaper in the county, if there be any, and if not, then by posting one copy of the same in a public place in each election precinct in the county, and any person, to the assessed value of whose property there was an amount added, not appearing before the board of equalization, may appear before the state board of equalization at its next regular session, and upon making an affidavit that he had no knowledge of such increased valuation of his property, he shall be given a hearing and the final judgment of the state board, and the secretary of the state board shall note all changes made and certify them to the county auditor, who shall make the changes required on the assessment roll. The recorder of the county shall be present and attend all meetings of the county board of equalization, with an abstract of all unsatisfied mortgages and liens shown in the records of his office, arranged in alphabetical order, for which service he

County board of equalization

Meet in July

Sitting limited

Powers of said board

Duty of clerk regarding increased valuations

Published in newspaper or by posting

State board of equalization

Recorder to attend on county board

shall receive no compensation, and the county board of equalization shall make use of said abstract, and all other information that it can procure from the recorder or his office, or otherwise, in equalizing the assessment roll of the county, and may require the assessor to enter upon such assessment roll any other property which has not been assessed; and the assessment and equalizations so made shall have the same force and effect as if made by the assessor before the delivery of the assessment roll by him to the clerk of the board of county commissioners.

**CHAP. 217—*An Act for the relief of the Raycraft Realty company.***

[Approved March 24, 1915]

Preamble

WHEREAS, The Raycraft Realty company, in the years 1912 and 1913, under the administration of George W. Cowing and D. S. Dickerson, as wardens of the state prison, rendered certain services on behalf of the state prison for said wardens, the claim therefor being in the sum of seventy-eight and  $\frac{1}{100}$  dollars; and

WHEREAS, The said claim was not paid owing to failure to present the same in due time; and

WHEREAS, The said claim has been duly approved by the said wardens, and has been examined and allowed by the board of examiners of the State of Nevada; and

WHEREAS, The said claim is a just and legal claim against the State of Nevada, and should be paid: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation, \$78.10

SECTION 1. The state controller is hereby directed to draw his warrant in the sum of seventy-eight and  $\frac{1}{100}$  dollars in favor of said Raycraft Realty company, and the state treasurer is hereby directed to pay the same.

**CHAP. 218—*An Act to grant the right of way to John McConaghy, R. W. Hesson, J. A. McBride, and their associates, for the construction of a railroad, all in the county of Elko, State of Nevada, and matters pertaining thereto.***

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Right of way for railroad in Elko County

SECTION 1. The right of way to locate, construct, maintain, and operate, either by steam, gas, or electric motive power, a narrow- or broad-gage railroad, with iron or steel rails, by such route as they may deem most feasible and advantageous, from



a point at or near Moleen, county of Elko, State of Nevada, to a point in or near the town of Bullion, county of Elko, State of Nevada, is hereby granted to John McConnaghy, R. W. Hesson, J. A. McBride, and their associates, for the term of fifty years; *provided*, that the construction of said railroad shall be commenced within two years from the date of the passage of this act, and shall be completed within four years thereafter.

Proviso

SEC. 2. The said John McConnaghy, R. W. Hesson, J. A. McBride, their associates and assigns, shall have all the rights, privileges, and franchises conferred upon railroad companies incorporated in this state by the provisions of "An act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, and the acts amendatory thereof or supplemental thereto, so far as the same are consistent with the provisions of this act; *provided, however*, that the legislature of the State of Nevada reserves the right to regulate fares and freights, and to revoke this franchise for what may be deemed by them good reasons.

Parties named

Railroad act

Legislature may regulate and revoke

## CHAP. 219—*An Act for the relief of Paul Gaston.*

[Approved March 24, 1915]

WHEREAS, Paul Gaston, under contract with the state board of examiners made in the year 1914, rendered services as expert accountant in the examination of accounts of state officers, institutions, etc., for the fiscal year ending December 31, 1914, at and for the contract price of twelve hundred dollars; and

Preamble

WHEREAS, Owing to the impossibility of completing the said work in the year 1914 the fund out of which said claim might have been paid reverted, and there is no fund for the payment of said claim; and

WHEREAS, The said claim has been examined and approved for relief by the state board of examiners, and is a just and legal claim against the state: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The state controller is hereby directed to draw his warrant in the sum of twelve hundred dollars in favor of said Paul Gaston, and the state treasurer is hereby directed to pay the same.

Appropriation, \$1,200

CHAP. 220—*An Act to amend an act entitled "An act providing for interstate and intrastate quarantine with respect to domestic animals and other live stock, poultry, bees, and agricultural and horticultural crops, products, seeds, plants, trees, or shrubs, or any article infected with, or which may have been exposed to, infectious, contagious, or destructive diseases, or infested with parasites, or insect pests, or the eggs or larva thereof, dangerous to any industry in the state, and other matters relating thereto," approved March 31, 1913.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of the above-entitled act is hereby amended to read as follows:

Interstate and intrastate quarantine on animals and produce, when  
 Section 2. Whenever it shall appear to the state quarantine officer, by petition of any three citizens, or otherwise, that any industry in the state is endangered by importations from any other state of any commodity mentioned in section 1 of this act; or by exportations from any county, portion of any county, farm, nursery, or apiary within the state, to other parts of the state, of any such commodity, he shall at once take steps to ascertain the facts thereof, as hereinafter provided, and if in his opinion the facts so warrant, he shall by proclamation declare such state, or any portion of such state, in the first instance, quarantined from further importations into Nevada of any such commodity; or, any such county, or portion of such county, farm, nursery, or apiary, in the second instance, quarantined from exportations of any such commodity to other parts of the state; which quarantine shall remain effective unless vacated by order of the governor of the state within forty-eight (48) hours, or until said quarantine is raised by proper authority.

Repeal  
 SEC. 2. Section 3 of the above-entitled act is hereby repealed.

SEC. 3. Section 7 of the above-entitled act is hereby amended to read as follows:

To cooperate with federal authorities  
 Powers of state quarantine officer  
 Section 7. In so far as practicable, the governor, or state quarantine officer, in directing the enforcement of quarantine, shall cooperate with the federal authorities. The state quarantine officer is hereby authorized and empowered to exercise all needful authority required for the proper and efficient enforcement of quarantine; to make arrests of persons violating the same, or suspected of such violation, and to examine any premises or any shipment or consignment suspected of containing any interdicted commodity within the meaning of this act, and may open any container thereof and inspect the same. If such shipment or consignment prove to be an interdicted commodity as aforesaid, he shall have power to require any railroad, express company, or other common carrier immediately to reship such consignment back to point of origin, if the

same has not yet been delivered to the consignee, and the failure or refusal of any railroad company, express company, or other common carrier promptly so to do shall render such company so offending liable to fine in any sum not less than five hundred dollars nor more than five thousand dollars, and which may be collected by proceedings instituted by the state and prosecuted by the attorney-general in any court of competent jurisdiction, and any property of the defendant within the state may be levied on and sold in satisfaction of the judgment. Penalty

SEC. 4. Sections 10, 11, and 13 of the above-entitled act are hereby repealed. Repeal

SEC. 5. The above-entitled act is hereby amended by adding thereto a new section, to be known as section 15, to read as follows:

Section 15. The president and board of regents of the University of Nevada are hereby designated the authority to administer this act. They shall have power to designate the state quarantine officer, who shall be in charge of the laboratory of the university, known as the state veterinary controlled service. They shall appoint a properly qualified entomologist to advise with the state quarantine officer in all matters in which the scientific knowledge of an entomologist is essential. The appointment of the state quarantine officer shall be effective when approved by the governor. President and board of university regents to administer act and designate quarantine officer

CHAP. 221—*An Act to amend section 25 of an act entitled "An act in relation to the act of Congress known as the Carey act, and all acts amendatory thereof and supplemental thereto, and governing the state commission of industry, agriculture and irrigation as heretofore or may be hereafter created and established by law in the control of the selection, management, and disposal of all lands granted the state under the provisions thereof," approved March 17, 1911.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of controlling its effect upon any act which has been or may be enacted by the present session of the legislature or any subsequent session, section 25 of an act entitled "An act in relation to the act of Congress known as the Carey act, and all acts amendatory thereof and supplemental thereto, and governing the state commission of industry, agriculture and irrigation as heretofore or may be hereafter created and established by law in the control of the selection, management, and disposal of all lands granted the state under the provisions thereof," approved March 17, 1911, is hereby amended to read as follows: Amending act in relation to Carey act lands

Department  
of Carey act  
lands

State  
register of  
lands under  
Carey act,  
surveyor-  
general is

No  
additional  
compensa-  
tion

Section 25. There is hereby established as a department of the bureau of industry, agriculture and irrigation, as is or may be created by law, the department of Carey act lands, and which shall be in charge of the state register of lands under the Carey act, subject to the general supervision and control of the commission. Said state register may appoint a deputy and such clerical and other assistants as may be required in such department, at such compensation as the commission may fix. He shall be the custodian of all papers, documents, maps, and plats relating to such department, receive and receipt for all fees and payments required to be paid under the provisions of this act, or under any rule or regulation of the commission, and deposit the same with the state treasurer to the credit of the Carey act trust fund; conduct all correspondence relating to such department, perform such other duties as the commission may prescribe, and is hereby named as the authorized agent of the state to enter into and to execute, for and in behalf of the state, the agreement prescribed by the secretary of the interior binding the state in respect to the disposal of lands under the Carey act. For services performed under the provisions of this act said state land register shall receive no compensation.

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CHAP. 222—*An Act authorizing and requiring the board of prison commissioners to cause the preparation of plans for a modern penitentiary, to approve said plans, and to provide for the cutting of the stone called for in the said plans, with an appropriation of moneys for the carrying out of the provisions of this act, and matters relating thereto.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Modern  
penitentiary  
to be  
planned

SECTION 1. The state board of prison commissioners is hereby authorized and directed to proceed without delay to secure plans and general specifications for the walls and buildings of a modern penitentiary; said walls and buildings to be constructed, when practicable, of stone from the quarries of the present state penitentiary.

Plans for  
modern  
prison

SEC. 2. In pursuance of the provisions of section 1 of this act the said board may employ an architect or draughtsman who shall, under the direct supervision of the said board, prepare plans showing the general arrangements of a modern prison, and, in full detail, the plans and specifications of the stonework to be employed in its construction. Upon the completion of such plans and specifications in a manner satisfactory to it, the said board shall approve the same.

SEC. 3. Upon the approval of the said plans the board shall cause the warden of the state penitentiary to employ one competent stonecutter to supervise the cutting of the stone called for in the said plans, by convict labor, and the said stone shall be marked and stored on the prison premises until such time as the legislature may provide for the erection of the said prison or any part thereof.

Stonecutter  
employed to  
supervise  
cutting of  
stone by  
convicts

SEC. 4. The said board of prison commissioners is hereby authorized to pay such convicts employed as provided in this act the sum of ten cents per day per man for each day so employed.

Convict  
wages, 10  
cents per day

SEC. 5. The sum of five thousand dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, for the carrying out of the provisions of this act.

\$5,000  
appropriated

CHAP. 223—*An Act amending section two of an act entitled "An act in relation to the act of Congress known as the Carey act, and all acts amendatory thereof and supplemental thereto, and governing the state commission of industry, agriculture and irrigation as heretofore or may be hereafter created and established by law in the control of the selection, management, and disposal of all lands granted the state under the provisions thereof," approved March 17, 1911.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of the above-entitled act is hereby amended to read as follows:

Section 2. The selection, management, and disposal of said land shall be vested in a commission consisting of the governor, the state engineer, and the surveyor-general, and which, for the purposes of this act, shall be known as the commission of industry, agriculture and irrigation, and the surveyor-general is hereby designated as state register of lands under the Carey act.

Carey act  
land  
commission,  
composition  
of

CHAP. 224—*An Act to authorize and direct the board of county commissioners of Douglas County, Nevada, to erect and construct a county high school at Gardnerville in said county, to issue bonds for the purpose of creating a fund for the payment thereof, and other matters properly relating thereto.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of Douglas County, Nevada, are hereby authorized, empowered, and

High-school  
building at  
Gardnerville

Board of  
education to  
adopt plans;  
county com-  
missioners  
to award  
contract;  
proviso

\$25,000 in  
bonds to be  
issued

Agriculture  
shall be  
taught

County com-  
missioners to  
issue bonds  
before June  
1, 1915

Record to be  
kept

Negotiation  
of bonds

directed, and it is made their duty to erect a county high-school building or buildings in or near the town of Gardnerville, Douglas County, Nevada, on a site to be selected by the board of education of Douglas County; *provided*, said tract of land on which said high school is located shall consist of not less than five acres of land; *and provided further*, said tract is transferred and conveyed, without cost, to Douglas County on or before May 1, 1915. Said building shall be completed and furnished on or before January 1, 1916, at the expense of said county and at a total cost for said building and furnishings of not more than \$25,000. The board of education of Douglas County shall adopt plans and specifications for said building or buildings and deliver the same to the board of county commissioners. Said commissioners shall advertise in a newspaper in said county for at least three weeks for bids for the construction of same, and the contract shall be awarded for the construction thereof before August 1, 1915; *provided*, that said commissioners may, if they deem it for the best interest of said county, erect and furnish said building or buildings without advertising for bids or letting any contract for the construction thereof, the commissioners to have the right to reject any and all bids.

SEC. 2. The board of county commissioners of Douglas County, Nevada, are hereby authorized and empowered, and it is made their duty to prepare and issue bonds of said county after the first day of May, 1915, for the sum of \$25,000, exclusive of interest, for the purpose of providing funds for the erection and complete furnishings of the said high-school building and the necessary buildings in said county as herein provided. Agriculture shall be taught as one of the courses at said high school.

SEC. 3. Prior to June 1, 1915, the board of county commissioners of said county shall have said bonds prepared and ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bonds, and each of such coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer.

SEC. 4. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of such bond, and to whom issued.

SEC. 5. The board of county commissioners of Douglas County are hereby authorized and directed during the month of June, 1915, and continuing thereafter if necessary, to negotiate the sale of said bonds, and to sell the same by advertising for sealed proposals, or by private sales, as they may deem for the best interests of the county; *provided*, that all bonds shall be



made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

SEC. 6. Said bonds shall be each in the sum of two hundred and fifty dollars. They shall be numbered from one to one hundred, consecutively; and the interest on the same shall not exceed six per cent per annum, payable annually in each year at the office of the county treasurer of said Douglas County, and in no case shall any of said bonds run for a longer period than thirty years.

Denomina-  
tion of bonds

Limit, 30  
years

SEC. 7. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Douglas County are hereby authorized and required to levy and collect annually a special tax on the assessed value of all property, both real and personal, including proceeds of mines within the boundaries of said Douglas County, until such bonds and interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire five of said bonds annually after the first Monday in June, 1925. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereon shall be kept by the county treasurer, in a special fund to be known as the "County High School Fund."

"County  
High School  
Fund"

SEC. 8. It shall be obligatory on said county and its proper officers to fully pay the interest on said bonds annually, and to fully pay and retire five of said bonds in 1925, beginning with the first number thereof, and so on consecutively, and annually thereafter, until said bonds and the interest thereon are fully paid, canceled, and retired, to pay and retire five of said bonds in such manner.

Interest

5 bonds  
retired in  
1925, etc.

SEC. 9. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners, be transferred to the general fund of said county.

Tax to cease,  
when

SEC. 10. Whenever the county treasurer shall pay anything on the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amount so paid.

Treasurer to  
cancel paid  
bonds

SEC. 11. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Interest  
ceases, when

SEC. 12. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under and by

Faith of state  
pledged

virtue thereof shall have been paid in full as in this act specified.

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CHAP. 225—*An Act making appropriation to pay bounty provided for by an act of March 19, 1901, entitled "An act to provide for the payment of a bounty to encourage the boring of wells in searching for oil, natural gas, and artesian water in the State of Nevada."*

[Approved March 24, 1915]

Bounties for  
flowing  
artesian  
wells

WHEREAS, The statutes of the State of Nevada, to wit, an act approved March 19, 1901, 86, and designated as sections 712 to 717, inclusive, in 1 Revised Laws of Nevada, 1912, entitled "An act to provide for the payment of a bounty to encourage the boring of wells in searching for oil, natural gas, and artesian water in the State of Nevada," provides that "the first person to sink a well in the State of Nevada not less than six inches in diameter at the bottom, to the depth of one thousand (1,000) feet, shall receive a bounty of twenty-five hundred (\$2,500) dollars from the state; *provided*, that such well shall flow at least sixty gallons of water per minute"; and

WHEREAS, The Railroad Valley company, a corporation organized and existing under and by virtue of the laws of the State of Nevada, did during the summer of 1913, sink a well in Railroad Valley, Nye County, State of Nevada, not less than six inches in diameter at the bottom, to the depth of one thousand (1,000) feet, and flowing in excess of sixty gallons of water per minute, and being the first person to sink such well in the State of Nevada; and

Bounty  
earned by  
Railroad  
Valley  
company

WHEREAS, The said Railroad Valley company has complied fully with all and singular the requirements of said act of March 19, 1901; and

WHEREAS, On September 12, 1913, the state board of examiners of Nevada did fully consider said Railroad Valley company's application for payment of said bounty in the sum of twenty-five hundred dollars, and did then and there approve the same, and did recommend said claim for relief at the next ensuing session of the legislature of Nevada, there being no appropriation then and there available, in the opinion of the attorney-general of Nevada, for the payment of the same: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Appropriation to pay  
Railroad  
Valley  
company

SECTION 1. There is hereby appropriated from the general fund of the State of Nevada, the sum of twenty-five hundred (\$2,500) dollars for the purpose of paying to the Railroad Valley company, a corporation organized and existing under the laws of the State of Nevada, the bounty earned by said company by being the first person to sink a well in the State

of Nevada not less than six inches in diameter at the bottom, to the depth of one thousand (1,000) feet, and flowing in excess of sixty gallons of water per minute, as provided by the act of March 19, 1901.

SEC. 2. The state controller shall draw his warrant upon the state treasurer for the aforesaid amount, payable to Robert G. Pohl, as clerk of the board of county commissioners of Nye County, Nevada, as provided by section 6 of said act of March 19, 1901, and the state treasurer shall pay the same when presented to him for payment.

Duties of  
controller  
and  
treasurer

CHAP. 226—*An Act to amend sections 4, 15, 41, and 49 of an act entitled "An act to regulate banking and other matters relating thereto."*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section four of an act entitled "An act to regulate banking and other matters relating thereto," is hereby amended so as to read as follows:

Section 4. A banking corporation organized under the provisions of this act shall be permitted to receive money on deposit, to buy and sell exchange, gold, silver, coin, bullion, uncurrent money, and bonds; to loan money on chattel and personal security, or on real estate secured by mortgage; to own a suitable building, furniture, and fixtures for the transaction of its business, the value of which shall not exceed forty per cent of the capital and surplus of said bank, fully paid; *provided*, that nothing in this section shall prohibit such bank from holding or disposing of such real estate as it may acquire through the collection of debts due it; *and provided further*, that all banking institutions and trust companies now organized as corporations doing business in this state are hereby permitted to continue said business as at present incorporated, but in all other respects their business, and the manner of conducting the same, and the operation of said bank or trust company, shall be carried on subject to the provisions of this act, and in accordance therewith; *and provided further*, that no bank or trust company, except those that have complied with the provisions of this act, shall engage in any other business than is authorized by this act.

Business  
which  
banking  
corporation  
may engage  
in

Provisos

SEC. 2. Section fifteen of an act entitled "An act to regulate banking and other matters relating thereto," is hereby amended so as to read as follows:

Section 15. The total liability to any bank of any person, company, corporation, or firm for money borrowed, shall not at any time exceed twenty-five per cent of the capital stock and surplus of such bank, actually paid in, except by and with

No one  
creditor may  
borrow over  
25 per cent of  
bank's funds

Certain  
paper not  
considered  
borrowed  
money

the written consent of the state bank examiner, but the discount of bills of exchange drawn in good faith against actual existing values, as collateral security, and a discount or purchase of commercial or business paper, actually owned by the persons, shall not be considered as money borrowed.

SEC. 3. Section forty-one of an act entitled "An act to regulate banking and other matters relating thereto," is hereby amended so as to read as follows:

What real  
estate bank  
may pur-  
chase, hold,  
or convey

Section 41. A bank may purchase, hold, or convey real estate for the following purposes: first, such as shall be necessary for the convenient transaction of its business, including its furniture and fixtures, but the real estate shall not exceed forty per cent of its capital and surplus; second, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its business; third, such as it shall purchase at sale under judgment, decree, or mortgage foreclosure under securities held by it, but shall not bid at any such sale a larger amount than is necessary to satisfy its debts and costs. Real estate shall be conveyed by an individual banker as in other cases, or under the corporate seal of the bank, and the hand of either its president, vice-president, or cashier, approved by a resolution of its directors. No real estate acquired in the cases contemplated in the second and third subsections above shall be held for a longer time than ten years. It must be sold at a private or public sale within thirty days thereafter.

SEC. 4. Section forty-nine of an act entitled "An act to regulate banking and other matters relating thereto," is hereby amended so as to read as follows:

Composition  
of state  
banking  
board

Section 49. The Nevada state banking board is continued and shall consist of the governor, who shall be ex officio chairman of the board, and of four other members, who shall be appointed by the governor, at least two of whom shall be practical bankers and actually engaged in the banking business in this state; but no person shall be eligible to act on said board who is an officer or employee of any national bank. They shall hold office for the term of two years, unless sooner removed by the governor, and shall qualify by taking and subscribing to the constitutional oath of office, which shall be filed in the office of the secretary of state. Said board shall meet at the capital at least four times each year and at such other times as the governor, the examiner, or any two members of the board shall request. The members so appointed shall receive ten dollars per day for their services while engaged in the performance of their duties, and shall be entitled also to their traveling and other necessary expenses incurred in the performance of their duties. Said board shall have, in connection with the examiner, supervision and control of banks and banking in this state, and no persons, firms, associations, or corporations shall be permitted to engage in the banking business in this state save in compliance with this act.

Meetings

Compensa-  
tion

Powers of  
board

CHAP. 227—*An Act providing for the incorporation of domestic building and loan associations, the licensing of foreign building and loan associations, the examination and regulation of all building and loan associations doing business in this state by the state bank examiner, and other matters properly connected therewith, and repealing a certain act.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Building and loan associations organized for the purpose of raising a fund by the collection of dues or stated payments from their members to be loaned among their members may be incorporated under the provisions of the general corporation law of this state; *provided, however*, that the secretary of state shall not issue a certificate of incorporation to any such association, authorizing it to do business in this state, until the articles of association or agreement shall have been approved by the state bank examiner; and all the rights, privileges, and powers, and all the duties and obligations of such corporations, and the officers and stockholders thereof, shall be as provided in said general corporation act, except as in this act otherwise provided. In addition to the other facts required to be stated, the articles of incorporation of such companies shall state the terms and plans of becoming and continuing a member, and of withdrawal, the plans of making loans, distributing profits, equalizing losses, providing for expenses, and of providing a fund with which to pay losses, and the maximum compensation of officers.

Concerning building and loan associations

State bank examiner to have supervision

SEC. 2. The capital named in the articles of incorporation shall be taken to mean the authorized capital, and the association may commence business when five per cent thereof is subscribed and the other requirements of this act have been complied with.

Capital, what is deemed

SEC. 3. Any such corporation shall have power, subject to the terms and conditions contained in the articles of incorporation and by-laws, to issue stock to its members; to assess and collect from its members reasonable membership fees, dues, premiums, and fines; to permit its members to withdraw any and all of their stock deposits upon equitable terms; to hold and convey such real and personal property as shall be necessary for its accommodation and the transaction of its business, such as shall be mortgaged in good faith by way of security for debts duly contracted, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings, such as it shall purchase at sales under judgments, decrees, or mortgages held by it, or shall purchase to secure debts due to it; to make loans to its members upon ample real estate security, unincumbered except by prior loans from the association, or upon the stock of such association to the extent

Powers of such corporations

of its withdrawal value; to make annual or semiannual distribution of its earnings; and to do all other things that may be necessary to effect its purposes and conduct its authorized business.

Officers to  
give bonds

SEC. 4. The treasurer and secretary, before entering upon their duties shall give good and sufficient bonds for the faithful performance of the same and for the safe-keeping and proper application of all money or property coming into their hands, and the same shall be approved by the board of directors. All such bonds shall be increased or additional surety required by the board of directors when the same becomes necessary to protect the interests of the association or its members, but no directors shall be accepted as a surety on such bonds, and the directors shall be individually liable for loss to the association or members caused by their failure to comply with the provisions of this section.

Borrowers  
may repay  
loans at any  
time; stock-  
holders may  
withdraw on  
30 days  
notice

SEC. 5. A borrower may repay a loan at any time upon duly complying with the provisions of the charter and by-laws in relation to the payment of loans; and any stockholder wishing to withdraw from the corporation shall have power to do so by giving thirty days notice of his intention to withdraw, when he shall be entitled to receive the amount paid in by him and such interest thereon, or such proportion of the profits thereon, less all fines and other charges, as the by-laws may determine; *provided*, that at no time shall more than one-half of the funds of the treasury of the corporation be applicable to the demands of withdrawing stockholders without the consent of the board of directors, and that no stockholder shall be entitled to withdraw whose stock is held by the association for security. Upon the death of a stockholder, his legal representatives shall be entitled to receive the full amount paid in by him on all shares not borrowed upon or pledged to the association as collateral security and legal interest thereon after deducting all charges that may be due on the stock; but no fines shall be charged to a deceased member's account from and after his decease, unless the legal representative of such decedent assume the future payment of the dues.

Regarding  
deceased  
stockholders

Unlawful  
acts of  
association,  
when

SEC. 6. It shall be unlawful for any building and loan association, not organized under the laws of this state, to transact business in this state unless such association or company shall have first complied with the statutes of this state relating to foreign corporations, and shall have submitted a statement of its conditions and affairs, subscribed and sworn to by the manager or an officer of the company, showing:

What  
statement  
shall show

1. The amount of authorized capital, and the par value of each share;
2. The number of shares sold during the year;
3. The number of shares canceled and withdrawn during the preceding year;



4. A statement of receipts and disbursements during the preceding year;

5. Salaries paid each of its officers;

6. A statement of its assets and liabilities at the end of the year, and the nature thereof in general terms;

7. Any other fact which the state bank examiner may require.

Upon receipt of all such instruments as are required, and the filing thereof, the secretary of state, upon the recommendation of the state bank examiner, shall issue a certificate authorizing such corporation to do business in this state. Secretary of state to issue certificate, when

SEC. 7. On or before the first day of March of each year, every building and loan association doing business within this state, whether domestic or foreign, shall cause to be filed in the office of the state bank examiner a statement of its affairs as is required in the next preceding section, and shall cause a copy thereof duly certified by the state bank examiner to be published at least four times in some newspaper in this state and having a general circulation therein, such publication to be completed on or before the first day of May and proof thereof filed in the office of the state bank examiner. Statement filed March 1 each year  
Published by May 1 each year

SEC. 8. If any domestic building and loan association shall refuse to submit to an examination by the state bank examiner, he shall advise the attorney-general thereof, who shall proceed to wind up its affairs; and if any foreign association shall refuse to submit to such examination, the bank examiner shall so advise the attorney-general who shall then proceed by *quo warranto* to prohibit any such corporation so refusing from continuing to do business in this state. Refusal of examination, attorney-general to act

SEC. 9. When, in the opinion of the state bank examiner, any such corporation is conducting its business illegally, or in violation of its articles of incorporation or by-laws, or is practicing deception upon its members or the public, or is pursuing a plan that is injurious to the interests of such members, or if he is satisfied that its affairs are in an unsafe condition, he shall notify the directors or managers, and if it shall not immediately amend its course, or put its affairs upon a safe basis, he shall, in the case of a domestic corporation, advise the attorney-general thereof, who shall take the necessary steps to wind up its affairs; and in the case of a foreign corporation he shall also advise the attorney-general, who shall thereupon proceed by *quo warranto* to prohibit any such corporation from continuing to do business in this state. Illegal acts forfeits right of corporation to do business in Nevada

SEC. 10. Within sixty days after the taking effect hereof each building and loan association doing business in this state shall file with the state bank examiner the statement hereinbefore required, and each such foreign association shall file a copy of its articles and by-laws with the secretary of state and shall obtain its certificate of authority, or on failure or refusal to do so, shall forfeit its right to do business in this state. All associations must immediately file statements with bank examiner

SEC. 11. Any officer or agent of any building and loan

Officers of  
association  
liable for  
illegal acts

Penalty

Annual  
license, \$100

Licenses  
constitute  
fund for  
expense of  
examination

Previous act  
repealed

association who shall do or attempt to do any business for any such association which does not hold a certificate of authority therefor, as in this chapter provided, or which shall fail or refuse to file with the state bank examiner the annual statement herein required, shall be guilty of a misdemeanor for each and every such offense, and shall be personally liable on any and all contracts made in this state by him for and in behalf of such company during the time it shall remain so in default.

SEC. 12. All foreign building and loan associations doing business in this state shall, on or before the first day of March of each year, pay into the office of the state controller an annual license of one hundred dollars (\$100).

SEC. 13. All moneys received from such annual licenses by the state controller shall be paid into the state treasury to constitute a fund to be used by the state bank examiner to defray the expenses of examination of building and loan associations.

SEC. 14. An act entitled "An act for the regulation of foreign building and loan societies doing business in the State of Nevada," approved March 13, 1905, is hereby repealed.

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CHAP. 228—*An Act authorizing the board of county commissioners of the county of Elko to issue bonds to provide for the construction, equipment, and furnishing of high-school dormitories in the towns of Elko and Wells, Elko County, Nevada, and providing for the ratification thereof, by special or general election, before the issuance of any bonds, and authorizing the county board of education of said county to construct, equip, and furnish said building.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

High-school  
dormitories  
at Elko and  
Wells—  
\$55,000 bonds

SECTION 1. The board of county commissioners of Elko County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, said bonds to be issued on or before the first day of January, 1917, for an amount not to exceed the sum of fifty-five thousand dollars, exclusive of interest, for the purpose of providing funds for the construction and equipment of high-school dormitories in the towns of Elko and Wells, in Elko County, upon a site to be chosen by the county board of education.

Question  
submitted to  
popular  
vote, how

SEC. 2. Before issuing said bonds or incurring any indebtedness or commencing the construction of said dormitories, or either of them, the question of the issuance of said bonds shall be submitted to a vote of the electors of Elko County, either at the next general election or at a special election to be held as hereinafter provided.

SEC. 3. Upon petition of 40 per cent of the qualified electors of Elko County (using the highest vote cast at the last general election for justice of the supreme court) filed with the board of county commissioners of Elko County requesting the calling of a special election for the purpose of voting upon the issuance of said bonds, it shall be the duty of the board of county commissioners to call such special election and submit to the electors of Elko County the question of the issuance of said bonds. Said special election and the call therefor shall be held not sooner than 40 nor later than 60 days after the filing of such petition, and there shall be printed upon the ballots at such special election the following:

Petition—40 per cent of voters—calls special election

For the erection of high-school dormitory at Elko ---- } Yes --  
 } No -- Form of ballot  
 For the erection of high-school dormitory at Wells --- } Yes --  
 } No --

If no special election be held, such question shall be submitted to the electors of Elko County at the next general election, and shall in like manner and form be printed upon the general election ballot. If a majority of the electors voting thereon at a special or general election vote yes, said board of county commissioners shall forthwith cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond so that the same may be removed without injury to the bond, and each of such coupons shall be consecutively numbered and signed by the chairman of the board and the county treasurer.

If no special election question submitted at general election

Majority vote sanctions bonds

SEC. 4. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued.

Record of bonds

SEC. 5. The board of county commissioners of Elko County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals, or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation of bonds

SEC. 6. Said bonds shall be each for the sum of five hundred dollars. They shall be numbered consecutively and the interest on the same shall not exceed six per cent per annum, payable annually, on the first Monday in July of each year, at the office of the county treasurer of said Elko County, and in no case shall said bonds run for a longer period than twenty years.

Bonds, \$500 each

Life, 20 years

SEC. 7. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the

"The Elko County Dormitory Fund"

same in a fund hereby created and known as "The Elko County Dormitory Fund," and to pay out said moneys only in a manner now provided by law for the payment of the "County High School Fund," and for the purposes for which the same were received.

Board of  
education  
to erect  
dormitories

Balance,  
how used

SEC. 8. The county board of education of Elko County is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the construction, equipment, and furnishing of such dormitory or dormitories, and any balance remaining in said fund, after the completion, equipment, and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining said high school, in accordance with and pursuant to the provisions of law pertaining to the establishment, maintenance, and management of high schools in the various counties of this state.

Board of  
education to  
decide char-  
acter of  
buildings,  
etc.

SEC. 9. Said county board of education shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made said board shall advertise for bids for the construction of said county high-school building, and let the construction thereof by contract to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to and the same shall govern the action of the county board of education in carrying out the provisions of this act. All demands and bills contracted by said county board of education shall be paid in the manner now provided by law for paying claims against the "County High School Fund"; *provided*, that no such bills shall be allowed until the plans for said high-school building shall have been approved by the state superintendent of public instruction.

State super-  
intendent to  
approve

Board of  
education to  
select sites

SEC. 10. As soon as possible after the passage and approval of this act, or after this act shall become a law, the county board of education of Elko County shall proceed to select an appropriate site for said dormitory building in the towns of Elko and Wells in said county, and the county board of education of said county and the county commissioners of said county shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

Treasurer  
responsible

SEC. 11. The county treasurer of said Elko County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

Fund for  
payment  
of bonds

SEC. 12. For the purposes of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of said Elko County is hereby authorized and required to levy and collect annually a special

tax on the assessment value of all property, both real and personal, subject to taxation, including proceeds of mines within the boundaries of said Elko County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire, beginning with bond number one, and consecutively thereafter, five of said bonds annually, beginning with the first Monday in July, 1917, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Elko County Dormitory Fund."

Special tax

Interest and redemption of bonds

SEC. 13. It shall be obligatory on the said county and on its proper officers to pay in full the accrued interest on said bonds, beginning on the first day of July after the issuance of said bonds, and thereafter on the first day of July in each and every year, until all of said bonds shall have been redeemed and retired.

SEC. 14. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by the act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the general fund.

Tax ceases, when

SEC. 15. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Treasurer to cancel paid bonds

SEC. 16. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Interest ceases, when

SEC. 17. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

Faith of state pledged

CHAP. 229—*An Act authorizing the board of regents of the University of Nevada to lease a college farm, and appropriating the sum of ten thousand dollars therefor.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of regents of the University of Nevada is hereby directed, authorized, and empowered to lease, upon

Board of regents may lease suitable college farm

such terms and conditions as said board of regents may determine, a farm, at or near Reno, to be used by said university as a college farm for the service of the college of agriculture and its various departments.

\$10,000 appropriated

SEC. 2. The sum of ten thousand (\$10,000) dollars is hereby appropriated, out of any funds not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Duties of controller and treasurer

SEC. 3. The state controller is hereby authorized to draw his warrant on the state treasury for the amount of this claim, or any part thereof, when approved by the state board of examiners and the state treasurer is hereby directed to pay the same.

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CHAP. 230—*An Act regulating automobiles or motor vehicles on public roads, highways, parks, or parkways, streets and avenues, within the State of Nevada; providing a license for the operation thereof, and prescribing penalties for its violation; designating the manner of handling the receipts therefrom, and the purpose for which it may be expended, and in what manner, and repealing an act of the same title, approved March 24, 1913.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

"Motor vehicle" defined

SECTION 1. Defining the term "motor vehicle": The term "motor vehicle," used in this act, shall, for the purposes of this act, unless the same be contrary to or inconsistent with the context, be construed to include all vehicles propelled by any power other than muscular power; *provided*, that nothing herein contained shall, except the provisions of section 11 of this act, apply to traction engines, road-rollers, street cars, railway motors, or railway locomotives.

Proviso

Owners to file statement with secretary of state

SEC. 2. The owner of every automobile, motorcycle, or other similar motor vehicle shall, within ten days after the acquisition of the same, file with the secretary of state a statement of his name and address, with a brief description of the vehicle to be registered, including the name of the maker, factory number, style of vehicle, and motor power. Subsequent filings shall be made by each owner of any motor vehicle on or before the first Monday in February of each year. The annual filing fee shall be as follows: For every automobile of twenty horsepower or less, three dollars; for every automobile between twenty-one and forty horsepower, inclusive, five dollars and fifty cents; for every automobile over forty horsepower, eight dollars. The annual filing fee of motorcycles shall be three dollars. Such fee shall cover state automobile and motorcycle licenses as from January 1 to December 31 of each year; *provided*, that all automobiles or motorcycles purchased or

Subsequent filings, when

Annual filing fees classified



acquired after the first day of July shall only be required to pay for one-half of year.

SEC. 3. The secretary of state shall keep a record of all statements filed with him in accordance with section 2 of this act, and shall also keep a record of all license plates issued by him, as provided hereinafter. Record kept—license plates

SEC. 4. Immediately upon receipt of proper statement and remittance, the secretary of state shall issue and deliver to the owner of such automobile or motorcycle so registered an official license number plate. The number plates shall be of a distinctly different color or shade for each year, to be designated or selected by the secretary of state, so as to make a certain color represent a certain year, and the number assigned to said motor vehicle shall be on said official number plate, and said official number plates shall be the official state licenses. Official license

SEC. 5. Every motor vehicle shall also at all times have the number assigned to it displayed on the back of such vehicle in such manner as to be plainly visible, the numbers to be in Arabic numerals, light on dark background, each not less than three inches in height, and each stroke to be of a width of not less than half an inch, and also as a part of such number the abbreviated name of the state in light or dark background, such letters to be not less than one inch in height. Said plates must always be displayed

SEC. 6. Upon the sale or exchange of ownership of a motor vehicle, previously registered for the year, the vendor shall immediately have this change noted on the records of the office of the secretary of state. In case the vendor wishes to retain the same number, then section 2 of this act shall govern. Regulations for sale and exchange of motor vehicles

SEC. 7. No motor vehicle shall be used or operated upon the public highways of this state after this act takes effect which shall display thereon a license plate or number belonging to another vehicle or fictitious license plate or number. Fictitious license plate unlawful

SEC. 8. Nonresident owners of motor vehicles are exempt from the provisions of this act for a period of thirty consecutive days at any time; *provided*, the owners have complied with any law requiring the registration of owners of motor vehicles in force in the state, territory, or federal district of their residence, and the registration number and initials or abbreviation of the state, territory, or federal district shall be displayed on such vehicle substantially as provided in this act. Nonresident owners exempt for 30 days; proviso

SEC. 9. No person shall operate a motor vehicle on a public highway at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger the life or limb of any person or the safety of any property. Speed regulated

SEC. 10. Every person having control or charge of any motor vehicle upon any public highway and approaching any vehicle drawn by a horse or horses, or any horse upon which any person is riding, shall operate, manage, and control such motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or Motor drivers must defer to horsemen

horses, and to insure the safety and protection of any person riding or driving the same. And if such horse or horses appear frightened, the person in control of such motor vehicle shall reduce its speed, and if requested by a signal or otherwise by the driver of such horse or horses, shall not proceed further toward such animal or animals unless such movement be necessary to avoid accident or injury, or until such animal or animals appear to be under the control of the driver or rider.

Motor vehicles must have efficient brakes, proper lights at night, etc.; exceptions

SEC. 11. Every motor vehicle while in use on a public highway shall be provided with good and efficient brakes, and also with a suitable horn or other signal. Every motor vehicle other than motorcycles must exhibit, during the period from one hour after sunset to one hour before sunrise, two lamps showing white lights, visible within a reasonable distance in the direction toward which such vehicle is proceeding, and also a red light, visible in the reverse direction; *provided*, exceptions noted in section 1 of this act are required to show only one white light in the direction toward which such vehicle is proceeding; *and provided further*, exceptions also noted in section 12 of this act.

Motorcycle must carry proper lights at night

SEC. 12. Every motorcycle while in use shall carry during the period from one hour after sunset to one hour before sunrise, and whenever fog or other atmospheric conditions render the use of the highway by vehicles unusually dangerous to the traffic and use of the highway, at least one lighted lamp showing a white light, visible under normal atmospheric conditions at least two hundred feet in the direction toward which the motorcycle is proceeding, and shall also carry at the rear of such motorcycle one red light, or one red reflex mirror, plainly visible from the rear.

Rule of the road

SEC. 13. The driver of every motor vehicle shall turn to the right in meeting other vehicles, teams, horses, and persons moving or headed in an opposite direction, and turn to the left in passing other vehicles, teams, horses, and persons moving or headed in the same direction.

Speed limit in cities and towns equally applied to all vehicles

SEC. 14. The local authorities of incorporated or unincorporated cities or towns may regulate, by ordinance, rule, or regulation hereafter adopted, the speed of motor vehicles within the limits of such cities or towns, on condition that such ordinance, rule, or regulation shall also fix the same speed limitation on all other vehicles, such speed limitation not to be in any case less than one mile in five minutes; and also on further condition that such ordinance, rule, or regulation shall fix the penalties for violation thereof similar to and no greater than those fixed by such local authorities for violation of speed limitation by any vehicle other than motor vehicles.

Not less than 12 miles an hour

Blanket certificate of registration for dealers, etc.

SEC. 15. Every manufacturer of, or dealer in automobiles, motorcycles, or other similar motor vehicles, may, instead of registering each automobile, motorcycle, or other similar motor vehicle owned or controlled by him, make application upon a blank furnished by the secretary of state for a general dis-

tinguishing number, and said secretary of state shall issue to the applicant one certificate of registration, containing the name, place of business, address of the applicant, and general distinguishing number, and shall also issue and deliver to such applicant four official number plates of such design as said secretary of state shall determine.

SEC. 16. All automobiles, motorcycles, or other motor vehicles owned or controlled by such manufacturer or dealer, except those for his own private use, shall, until sold or let for hire, be regarded as registered under such general distinguishing number, which must be displayed at all times upon such automobiles, motorcycles, or other motor vehicles, while being operated on public highways of this state in the manner herein provided.

General distinguishing number plates

SEC. 17. Any manufacturer or dealer who shall knowingly permit the use of any such number upon any automobile, motorcycle, or any similar motor vehicle owned or controlled by any other person, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars.

Dealer punished for abuse of privilege

SEC. 18. It shall be the duty of every manufacturer or dealer aforesaid to notify the secretary of state of any change in his address or firm name.

Dealer to notify

SEC. 19. The fee for such registration, together with the four official distinguishing numbers, shall be ten dollars for each garage.

Blanket registration fee, \$10

SEC. 20. Additional duplicate general distinguishing numbers may be obtained by any such manufacturer or dealer upon application to the secretary of state and the payment of an additional duplicate of not exceeding one dollar to cover the cost thereof.

Duplicate numbers

SEC. 21. This act shall in no wise affect any statute now existent or that may hereafter be enacted providing for a license number on automobiles for hire.

Not to affect autos for hire

SEC. 22. Excepting as in this act otherwise expressly provided, any person violating any of its provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof, unless in this act otherwise expressly provided, shall be punishable by a fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days, or both, for the first offense; and punishable by fine of not less than fifty dollars nor more than one hundred dollars, or imprisonment not exceeding thirty days, or both, for a second offense; and punishable by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or imprisonment not exceeding thirty days, or both, for a third or subsequent offense.

Violations of act, misdemeanor; penalty

SEC. 23. It is hereby made the duty of the sheriff in each county in the state to enforce all provisions of this act relative to the operation of motor vehicles, and if he knowingly neglects or refuses to do so, for each offense, he shall be subject to a fine of twenty (\$20) dollars.

Sheriff must enforce

SEC. 24. Fees received by the secretary of state, as in this

Fees under  
act paid to  
automobile  
road repair  
fund of the  
several  
counties

act provided, shall be paid semiannually into the treasuries of the counties whence they were received, to be there placed in an "Automobile Road Repair Fund" to be disbursed at such times in such amounts, and in such manner as the respective boards of county commissioners may direct.

Actual  
expenses  
paid from  
said fund

SEC. 25. For the purpose of defraying actual expenses in procuring license tags and record books, and for the payment of necessary postage and incidental expenses, the "Automobile Road Fund" heretofore created shall be subject only to claims made by the secretary of state for such expenditures, said claims not to exceed the sum of eight hundred dollars in any one year. Claims for such expenditures shall be made in the same manner as other state claims, and when favorably passed upon by the state board of examiners, shall constitute legal claims against the state, for which the state controller is directed to draw his warrants and the state treasurer is instructed to pay the same.

Previous act  
repealed

SEC. 26. An act regulating automobiles or motor vehicles on public roads, highways, parks or parkways, streets and avenues, within the State of Nevada, providing a license for the operation thereof and prescribing penalties for its violation; designating the manner of handling the receipts therefrom and the purpose for which it may be expended and in what manner, approved March 24, 1913, is hereby repealed.

In effect,  
Jan. 1, 1916

SEC. 27. This act shall take effect from and after January 1, 1916.

CHAP. 231—*An Act to amend an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section one hundred sixty-five of the above-entitled act is hereby amended so as to read as follows:

Text-book  
commission  
to make  
contracts for  
prices of  
text-books

Section 165. The text-book commission shall have power to make such contracts for the purchase and use of text-books in the name of the state as it shall deem necessary for the interests of the public schools. Such contracts shall set forth the introductory, exchange, and retail price of each text-book, and such prices shall not be less favorable than the prices at which such books are sold in any other state. And the contracts shall also provide that the state or any school district may purchase its books direct from the publishers of the same. In case payment for said books is delayed more than sixty days after delivery thereof, the account shall draw interest at the rate of six per cent per annum from the date of delivery until paid.

CHAP. 232—*An Act to amend an act supplemental to an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, and to all acts amendatory thereof, and to provide for a license upon the business of owning, raising, grazing, herding, and pasturing sheep in the several counties of the State of Nevada, and to declare a violation thereof a misdemeanor, and to provide a punishment therefor.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Every person owning real estate within the State of Nevada who may be engaged in or who may hereafter engage in the business of owning, raising, grazing, herding, or pasturing sheep as either owner, lessee, or manager of said sheep, in any county in the State of Nevada, must annually procure a license therefor from the sheriff as collector of licenses of each of such counties, and make payment therefor as follows in advance for each band, flock, or bunch of sheep:

First—Such person owning or having in his possession or under his control as lessee or manager five thousand sheep or more shall be deemed of the first class, and must pay the sum of two hundred and fifty dollars per annum for the first five thousand sheep, and the further sum of fifty dollars per annum for every additional one thousand sheep, or fraction thereof.

Sheep-  
grazing  
licenses

First class,  
\$250, and \$50  
for each 1,000  
over 5,000

Second—Such person owning or having in his possession or under his control as lessee or manager four thousand sheep, and less than five thousand, shall be deemed of the second class, and must pay the sum of two hundred dollars per annum.

Second  
class, \$200

Third—Such person owning or having in his possession or under his control as lessee or manager three thousand sheep, and less than four thousand, shall be deemed of the third class, and must pay the sum of one hundred and fifty dollars per annum.

Third class,  
\$150

Fourth—Such person owning or having in his possession or under his control as lessee or manager two thousand sheep, and less than three thousand, shall be deemed of the fourth class, and must pay the sum of one hundred dollars per annum.

Fourth  
class, \$100

Fifth—Such person owning or having in his possession or under his control as lessee or manager, fifteen hundred sheep, and less than two thousand, shall be deemed of the fifth class, and must pay the sum of seventy-five dollars per annum.

Fifth  
class, \$75

Sixth—Such person owning or having in his possession or under his control as lessee or manager any number of sheep less than fifteen hundred shall be deemed of the sixth class, and must pay the sum of fifty dollars per annum.

Sixth  
class, \$50

Seventh—Such person owning or having in his possession or under his control as lessee or manager any number of sheep

Seventh  
class, \$25

less than one thousand shall be deemed of the seventh class, and must pay the sum of twenty-five dollars per annum.

Provisions as  
to certain  
land owners

*Provided*, that the provisions of this act shall not apply to any person, persons, firm, company, association, or corporation who shall be the owner and holder of land in the State of Nevada equal to one acre for each three sheep so owned, raised, grazed, herded, or pastured; *and provided further*, that the lessee of lands shall not be deemed or taken as the owner and holder of land within the meaning of the provisions of this act; *and it is further provided*, that nothing in this act contained shall be so construed as to require the procurement of more than one license for the same sheep in the State of Nevada during the same calendar year.

Never more  
than one  
license

Nonresident  
owners must  
pay 15 cents  
per head

SEC. 1A. Every nonresident person, firm, partnership, association, or corporation, or person, firm, partnership, association, or corporation who owns no real estate within the State of Nevada, who may graze, herd, or pasture sheep within this state, as either owner, lessee, or manager of said sheep, must annually procure a license therefor from the sheriff as collector of licenses of each county within which said sheep are grazed, herded, or pastured, and shall pay therefor the amount of 15 cents per head for each and every sheep grazed, herded, or pastured within this state.

Repeal

SEC. 2. All acts or parts of acts in so far as they conflict with this act are hereby repealed.

CHAP. 233—*An Act to amend an act entitled "An act fixing the salary of the constable in and for Goldfield Township, Esmeralda County, State of Nevada, and providing for payment thereof," approved March 20, 1909, approved March 10, 1913, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Salary  
constable of  
Goldfield

SECTION 1. The constable in and for Goldfield Township, Esmeralda County, Nevada, shall receive a salary of twelve hundred (\$1,200) dollars a year, payable in twelve (12) equal monthly payments; *provided*, such constable shall have no claim against the county for services rendered in criminal cases, and shall pay into the county all fees received in civil cases.

Payable  
monthly

SEC. 2. The board of county commissioners of Esmeralda County, Nevada, shall, at their regular monthly meeting, upon the sworn statement of the constable as to the fees he received for the month prior, and upon the payment of the constable to the county treasurer of the fees so received, allow the salary named in section 1 of this act, as other salaries payable by the county are now allowed.



SEC. 3. The county auditor of Esmeralda County, Nevada, shall draw his warrant in favor of the constable of Goldfield Township, Esmeralda County, Nevada, as provided in this act; and the county treasurer of said county shall pay the same. Duties of auditor and treasurer

SEC. 4. This act shall take effect on the first day of April, 1915. In effect

SEC. 5. And all acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 234—*An Act to amend an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, by adding thereto a new section to be known as section 242a.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The above-entitled act is hereby amended by adding a new section to be known as section 242a, as follows:

Section 242a. Any Indian soliciting any person to purchase any intoxicating liquor or substance as set out in the next preceding section of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding five hundred dollars nor less than one hundred dollars, or be imprisoned in the county jail for a term of not less than sixty days nor more than one hundred days. Indian punished for soliciting any one to purchase liquor for him

CHAP. 235—*An Act abolishing the office of road supervisor of White Pine County, authorizing the division of said county into road districts, and providing for the election of road supervisors for said districts, and fixing the duties and compensations for said road supervisors.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The office of road supervisor of White Pine County shall be abolished on and after the passage and approval of this act. White Pine road supervisor abolished

SEC. 2. The board of county commissioners of White Pine County shall, immediately after the passage and approval of this act, divide the said county of White Pine into road districts. Also may appoint one road supervisor to each road district whose term of office shall be until his successor is elected and qualified, as provided for by this act. Divided into road districts

SEC. 3. At the general election in November, 1916, there shall be elected in each of the road districts into which said county is divided, as provided in the preceding section, one District road supervisors to be elected at general election

Bond

road supervisor, who shall hold office for two years, or until his successor has duly qualified. Said road supervisors shall take office on the first Monday in January following their election; *provided*, they have duly qualified by filing their official oath and a good and sufficient bond conditioned for the faithful performance of their duties in an amount to be determined by the board of county commissioners.

Duties of road supervisors

SEC. 4. It shall be the duty of each of said road supervisors to examine and inspect all county roads and public highways in his district outside any incorporated town or city, to report the condition thereof to the board of county commissioners, to supervise the repairs made on any such roads or highways, or the opening or building of any new roads, to keep the same free from obstructions, and to perform such other duties in relation thereto as are necessary in their proper upkeep; *provided, however*, that all of his said acts and duties shall be under the general supervision of the said board of county commissioners, and he shall not spend or contract for the spending of any county funds in the performance of his said duties, or in the repair or the building of the said roads, without being first authorized by the said board so to do.

Paid only for actual work

SEC. 5. The said road supervisors shall be paid only for the work they actually perform and each of them shall present his bill to the said board for such services, and the same shall be regularly approved and passed by the said board, as other county bills, before they shall be paid.

Repeal

SEC. 6. All other acts or parts of acts in conflict herewith are hereby repealed.

In effect

SEC. 7. This act shall take effect and be in force from and after its passage.

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CHAP. 236—*An Act regulating the compensation of the chief engineer and other employees of the Goldfield fire department in Esmeralda County.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Goldfield fire department salaries

SECTION 1. The chief engineer of the Goldfield fire department in Esmeralda County shall receive compensation in a sum not to exceed one hundred and seventy-five (\$175) dollars per month, and all other employees of said fire department not to exceed one hundred and fifty (\$150) dollars per month.

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CHAP. 237—*An Act fixing and regulating the compensation of the constable of Ely Township No. 1, White Pine County, Nevada, and repealing all acts and parts of acts in conflict therewith.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. From and after the first Monday in January, 1917, the constable of Ely Township No. 1, White Pine County, Nevada, shall receive as compensation in full for all services performed by him as constable for Ely Township No. 1, seventy-five dollars per month. Any and all fees received or derived from any source whatsoever by him as constable shall be paid in to the county treasurer of White Pine County, Nevada, on the first Monday of each and every month.

Salary of constable, Ely Township, White Pine County

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 238—*An Act to authorize the county commissioners of Washoe County, Nevada, to issue bonds to provide for the construction of a new bridge across the Truckee river in the city of Reno, and to provide for the payment of the same.*

[Approved March 24, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of constructing a new bridge across the Truckee river, within the limits of the city of Reno, at the Park-street crossing of said river in said city, the county commissioners of Washoe County are hereby authorized, empowered, and directed, within thirty days after the passage of this act, to issue bonds in the name of said county of Washoe not to exceed in amount fifteen thousand dollars (\$15,000), which shall be known as "The Washoe County Bridge Bonds, Issue of 1915."

Bridge bonds for Reno and Washoe County

SEC. 2. The said commissioners shall cause said bonds, or as many thereof as they may deem necessary, to be prepared, and they shall be signed by the chairman of the board, countersigned by the county clerk, and authenticated with the seal of the county. Coupons representing the several installments of interest to fall due thereon shall be attached to each bond so that they may be removed without injury to the bonds, numbered consecutively, and signed by the county treasurer.

Description of bonds

SEC. 3. The said commissioners are hereby authorized to negotiate the sale of said bonds at not less than their face or par value, the proceeds of which shall be placed in what shall be known as "The Washoe County Bridge Fund," and shall be used only for the purpose of carrying out the provisions of this

Negotiation of bonds

act. It shall be paid out only on warrants drawn by the county auditor in payment of bills contracted in pursuance of the provisions of this act.

Denomina-  
tion of  
bonds;  
interest not  
exceeding 5  
per cent

SEC. 4. The said bonds shall be of the denomination of one thousand dollars (\$1,000) each; they shall be numbered consecutively, and shall bear interest at the rate of not to exceed five per cent (5%) per annum, said interest payable on the second Monday of January of the second succeeding year in which such bonds, or any of them, shall have been issued, and every twelve months thereafter; and on the second Monday of January, A. D. 1920, and every twelve months thereafter, one or more of said bonds shall be redeemed and paid, until all of said bonds so issued shall have been fully taken up and satisfied.

Washoe  
county  
bridge fund  
for interest  
and redemp-  
tion of bonds

SEC. 5. To provide for the payment of the said bonds and the interest thereon, herein authorized to be issued, the said board of county commissioners shall, in the year 1916, and annually thereafter, at the time of levying taxes for state and county purposes, and in the same manner, levy a special and additional tax upon all the property within Washoe County, sufficient, in their judgment, to provide for the payment of the interest annually due on said bonds; and in the year 1919, and annually thereafter, at the time of levying taxes for state and county purposes, and in the same manner, levy a special and additional tax upon all the property within Washoe County, sufficient, in their judgment, to provide for the payment of the principal of one or more of said bonds, and shall every year thereafter redeem, take up, and pay one or more of the bonds herein directed to be annually so taken up, redeemed, and paid. The said taxes shall be assessed and collected the same as other taxes, paid to the county treasurer, and by him placed in the Washoe County bridge fund. At the maturity of said bonds and the coupons thereon they shall be paid by the county treasurer out of the said Washoe County bridge fund, and shall thereupon be canceled and marked paid by the county treasurer; no interest shall be allowed or paid on any of said bonds after they have become due and payable, and shall have been called in for redemption.

Dimensions  
of new  
bridge

SEC. 6. The new bridge to be constructed under the provisions of this act shall be placed at the Park-street crossing of the Truckee river, in the city of Reno, and shall be of a uniform width of twenty-two (22) feet; it shall have a sidewalk or walk-way on the west side thereof, at least four (4) feet in width; and it shall have one drive-way suitable for general traffic and the safe passage of live stock, which shall be not less than eighteen (18) feet in width.

Directors to  
determine  
character of  
new bridge

SEC. 7. The mayor of the city of Reno, the board of county commissioners of Washoe County, and the city council of the city of Reno are hereby constituted a board of directors, whose duty it shall be, within thirty days after the passage of this

act, to meet and determine of what kind of material, whether of iron, steel, wood, cement, concrete, or stone, the new bridge across the Truckee river at the Park-street crossing in the said city of Reno shall be constructed.

SEC. 8. The chairman of the board of county commissioners of Washoe County, the mayor of the city of Reno, and such person as said board of county commissioners and the city council of the city of Reno shall, at a joint meeting of said board and city council select, are hereby constituted a construction board, whose duty it shall be to forthwith proceed to construct and complete the new bridge at the Park-street crossing in compliance with the provisions of this act, and said board is hereby granted full power and authority to do and perform each and every act which may be found necessary to be done and performed, in order to fully carry out the intent of this act. Should a vacancy occur at any time in said construction board, or any one or more thereof refuse to act, the mayor of the city of Reno is hereby directed to forthwith fill said vacancy, by appointing a competent citizen of the city of Reno to serve as such member of said board. The members of said construction board shall serve without compensation, except that one of said board shall be elected by the members thereof as supervising architect of the construction of said bridge, and shall receive as compensation therefor such per diem as may be allowed by the board, which compensation shall be allowed and paid out of the general fund of Washoe County, and out of the general fund of the city of Reno, share and share alike, as other bills against the said county and the said city, respectively, are allowed and paid.

SEC. 9. As soon as practicable after the meeting and organization of the said construction board, they shall advertise in a daily newspaper published in the city of Reno, for the period of two weeks, for plans and specifications for the construction of the said new bridge, and they are hereby authorized to pay the sum of one hundred (\$100) for the plans and specifications accepted.

SEC. 10. All the laws in force governing the letting of contracts by the board of county commissioners of this state are hereby made applicable to and shall govern the board hereby created in all their official acts.

SEC. 11. All bills contracted by the said board of construction as herein created, in carrying out the provisions of this act, shall first be approved by a majority of the said construction board, and shall then be allowed by the board of county commissioners of Washoe County, and paid as other bills are presented, allowed and paid.

SEC. 12. All moneys remaining from the sale of the said bonds, after paying for the construction of the new bridge at the Park-street crossing as aforesaid, shall remain in the Washoe County bridge fund, and shall be used as necessity requires

Construction board, how constituted

Supervising architect

Plans to be advertised for

Price

General laws to govern contract

Bills audited by construction board

Residue of fund for general maintenance of bridges

in rebuilding, repairing, and constructing bridges in Washoe County, under the supervision and control of the county commissioners of said county.

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**CHAP. 239—***An Act fixing the number of officers and attachés of the legislature of the State of Nevada, and to define their duties and specify their pay, and repealing all acts in conflict therewith.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Officers of  
senate

**SECTION 1.** The officers and attachés of the senate shall consist of one secretary, one assistant secretary, one sergeant-at-arms, one minute clerk, one assistant minute clerk, one journal clerk, one assistant journal clerk, one engrossing clerk, one enrolling clerk, two committee clerks, one bill clerk, one stenographer, one mailing clerk, one messenger who shall be ex officio assistant sergeant-at-arms, one page, one porter.

Officers of  
assembly

**SEC. 2.** The officers and attachés of the assembly shall consist of one chief clerk, one assistant clerk, one sergeant-at-arms, one minute clerk, one assistant minute clerk, one journal clerk, one assistant journal clerk, one engrossing clerk, one enrolling clerk, one assistant enrolling clerk, one committee clerk, one stenographer, one mailing clerk, one messenger who shall be ex officio assistant sergeant-at-arms, two pages, one porter.

Extra qual-  
fications

**SEC. 3.** All clerks, excepting the secretary of the senate and the chief clerk of the assembly, shall be efficient stenographers and typists.

Salaries of  
officers

**SEC. 4.** There shall be paid to the several officers and attachés named in this act, for all services rendered by them under the provisions of this act, the following sums of money and no more: The secretary of the senate and the chief clerk of the assembly shall each receive seven dollars per day; the assistant secretary of the senate and the assistant clerk of the assembly shall each receive six dollars per day; the minute clerk, the assistant minute clerk, the journal clerk, the assistant journal clerk, the engrossing clerk, the enrolling clerk of the senate and assembly, respectively, shall each receive six dollars per day; the sergeant-at-arms of the senate and of the assembly shall each receive six dollars per day; the committee clerk of the assembly and the committee clerks of the senate, the bill clerk of the senate, the assistant enrolling clerk of the assembly, and the stenographers of the senate and assembly, respectively, shall each receive six dollars per day; the messengers of the senate and assembly, respectively, shall each receive six dollars per day; the pages of the assembly and the page of the senate shall each receive two dollars per day; the porters of the senate and assembly,



respectively, shall each receive three dollars per day; the mailing clerks of the senate and assembly, respectively, shall each receive six dollars per day; *provided, however*, that in case the senate or the assembly shall organize or act with a less number of attachés than herein provided, such organization or action shall be legal; *and further provided*, that the senate or the assembly may, by resolution, increase or diminish the number of its attachés any time during the session, within the limits hereinbefore provided.

SEC. 5. Nothing in this act shall be construed as to affect the term of office of the officers and attachés now in office.

SEC. 6. The state controller is hereby directed to draw his warrants in favor of the persons above named for the several amounts specified in this act, and the state treasurer is hereby directed to pay the same.

SEC. 7. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 240—*An Act to amend section one of an act entitled "An act to amend an act entitled 'An act to prevent pollution or contamination of the waters of the lakes, rivers, streams, and ditches in the State of Nevada, prescribing penalties and making an appropriation to carry out the provisions of this act,' approved March 20, 1903," and further approved on March 12, 1907, March 24, 1909, March 10, 1911, and March 26, 1913.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended so as to read as follows:

Section 1. Any person or persons, firm, company, corporation, or association in this state, or the managing agent of any person or persons, firm, company, corporation, or association in this state, or any duly elected, appointed, or lawfully created state officer of this state, or any duly elected, appointed, or lawfully created officer of any county, city, town, municipality, or municipal government in this state, who shall deposit, or who shall permit or allow any person or persons in their employ or under their control, management, or direction to deposit in any of the waters of the lakes, rivers, streams, and ditches in this state any sawdust, oils, rubbish, filth, or poisonous or deleterious substance or substances, liable to affect the health of persons, fish or live stock, or place or deposit any such deleterious substance or substances in any place where the same may be washed or infiltrated into any of the waters herein named, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined in any sum not less than fifty dollars, nor more

Provisos

than five hundred dollars, exclusive of court costs; *provided*, that in cases of state institutions, municipalities, towns, incorporated towns or cities, when, owing to the magnitude of the work, immediate correction of the evil is impracticable, then in such cases the authorities shall adapt all new work, and as rapidly as possible reconstruct the old system of drainage sewerage so as to conform with the provisions of this act; *and provided further*, that all such new reconstructed systems shall be completed before January 1, 1918; *provided*, that nothing in this act shall be so construed as to permit mining or milling companies or any one else to place or discharge any cyanide or other poisonous substances in any stream in this state, and that, beyond this restriction, nothing in this act shall apply to any quartz mill or other ore-reduction works in this state.

Cyanide  
specially  
interdicted  
Exception

CHAP. 241—*An Act to amend an act entitled "An act to provide for the establishment of a uniform system of road government and administration in each of the several counties of the State of Nevada; for the creation of a board of county highway commissioners in each of the several counties, and defining the duties of the members thereof; to provide for the appointment of a county road supervisor and defining his duties; to authorize the board of county commissioners of each county to issue bonds and levy and collect taxes to pay the same for the purpose of creating a county road and bridge fund; to authorize the expenditure of said fund for roads and bridges, and the purchasing of machinery and implements for road work; to classify the county roads of the counties, and other matters related thereto," approved March 26, 1913.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of article 3 is hereby amended so as to read as follows:

County road  
supervisor  
may be  
appointed  
by commis-  
sioners of  
each county

Bond

Salary  
limited

Section 1. At the first regular meeting of the board of county highway commissioners of each of the several counties after this act takes effect, said board may at their option appoint the county road supervisor; said county road supervisor, hereinafter called the supervisor, shall take and subscribe to the constitutional oath of office and enter into a bond with at least two sureties in the penal sum of \$2,500, payable to the county, and conditioned for the faithful performance of his duties. The bond shall be approved by the board of county commissioners, and filed with the county clerk. He shall hold the office during the pleasure of the board. The board shall fix the salary of the supervisor, said salary, however, not to exceed \$2,000 a year, together with the actual traveling expenses in the performance of his duties, said salary and expenses to be paid out

of the county treasury in the usual manner provided for payment of county officers. It shall be the duty of the supervisor under the direction of the board to take charge of all county roads, and supervise and direct the building, repairing, and maintaining of the same, to lay out roads on the best grades and alignments possible, to repair, plan, and supervise and furnish estimates for the board's guidance, and performance of such other duties as the board may direct and by this act required. If the board of county commissioners shall decide not to appoint a road supervisor for the county, they may at their option, appoint a board of road commissioners for each district, to consist of one to three members, who shall exercise the duties of the road supervisors herein provided. The road commissioners of each district, the boundaries of which may be fixed by the board of county commissioners, may be appointed by the board of county commissioners of each county until after the year 1916, when they may be elected in the same manner as in the case of other township officers; they shall hold office until their successors are duly elected or appointed and qualified, and shall take and subscribe to the constitutional oath of office before entering upon their duties; they shall have supervision over all road work within their respective districts and may appoint whomsoever they may choose to do said work; all vouchers shall be signed by at least a majority of said commissioners and allowed as in the usual course of claims against the county, but no board of district road commissioners shall contract for any amount of work in excess of the funds set aside for such district by the board of county commissioners, unless in case of an emergency, when by order of the county commissioners a larger amount may be expended. The county commissioners shall set aside for each road district the sums of money apportioned for each road district at their first meeting in January or as soon thereafter as possible.

Duties of supervisor

Board of road commissioners

When road commissioners may be elected by popular vote

Amount of contracts limited

CHAP. 242—*An Act providing for the establishment of private breeding grounds for the propagation, culture, and maintenance of fur-bearing and food animals and game fowl, for their regulation and licensing, and for the sale, shipment, transportation, and disposition of such animals and fowl raised and propagated therein or thereby, and prescribing a penalty for the violation of the provisions thereof.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any person may establish a private breeding grounds for the propagation, culture, and maintenance of any fur-bearing or food animal, or any game fowl, and any person lawfully conducting any such private breeding grounds and engaged in the propagation, culture, and maintenance of such

Authorizing private breeding grounds for fur-bearing animals and game fowl

**Provisos** than five hundred dollars, exclusive of court costs; *provided*, that in cases of state institutions, municipalities, towns, incorporated towns or cities, when, owing to the magnitude of the work, immediate correction of the evil is impracticable, then in such cases the authorities shall adapt all new work, and as rapidly as possible reconstruct the old system of drainage sewerage so as to conform with the provisions of this act; *and provided further*, that all such new reconstructed systems shall be completed before January 1, 1918; *provided*, that nothing in this act shall be so construed as to permit mining or milling companies or any one else to place or discharge any cyanide or other poisonous substances in any stream in this state, and that, beyond this restriction, nothing in this act shall apply to any quartz mill or other ore-reduction works in this state.

**Cyanide specially interdicted Exception**

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**CHAP. 241—An Act to amend an act entitled “An act to provide for the establishment of a uniform system of road government and administration in each of the several counties of the State of Nevada; for the creation of a board of county highway commissioners in each of the several counties, and defining the duties of the members thereof; to provide for the appointment of a county road supervisor and defining his duties; to authorize the board of county commissioners of each county to issue bonds and levy and collect taxes to pay the same for the purpose of creating a county road and bridge fund; to authorize the expenditure of said fund for roads and bridges, and the purchasing of machinery and implements for road work; to classify the county roads of the counties, and other matters related thereto,” approved March 26, 1913.**

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** Section 1 of article 3 is hereby amended so as to read as follows:

**County road supervisor may be appointed by commissioners of each county** Section 1. At the first regular meeting of the board of county highway commissioners of each of the several counties after this act takes effect, said board may at their option appoint the county road supervisor; said county road supervisor, hereinafter called the supervisor, shall take and subscribe to the constitutional oath of office and enter into a bond with at least two sureties in the penal sum of \$2,500, payable to the county, and conditioned for the faithful performance of his duties. The bond shall be approved by the board of county commissioners, and filed with the county clerk. He shall hold the office during the pleasure of the board. The board shall fix the salary of the supervisor, said salary, however, not to exceed \$2,000 a year, together with the actual traveling expenses in the performance of his duties, said salary and expenses to be paid out

**Bond**

**Salary limited**

of the county treasury in the usual manner provided for payment of county officers. It shall be the duty of the supervisor under the direction of the board to take charge of all county roads, and supervise and direct the building, repairing, and maintaining of the same, to lay out roads on the best grades and alignments possible, to repair, plan, and supervise and furnish estimates for the board's guidance, and performance of such other duties as the board may direct and by this act required. If the board of county commissioners shall decide not to appoint a road supervisor for the county, they may at their option, appoint a board of road commissioners for each district, to consist of one to three members, who shall exercise the duties of the road supervisors herein provided. The road commissioners of each district, the boundaries of which may be fixed by the board of county commissioners, may be appointed by the board of county commissioners of each county until after the year 1916, when they may be elected in the same manner as in the case of other township officers; they shall hold office until their successors are duly elected or appointed and qualified, and shall take and subscribe to the constitutional oath of office before entering upon their duties; they shall have supervision over all road work within their respective districts and may appoint whomsoever they may choose to do said work; all vouchers shall be signed by at least a majority of said commissioners and allowed as in the usual course of claims against the county, but no board of district road commissioners shall contract for any amount of work in excess of the funds set aside for such district by the board of county commissioners, unless in case of an emergency, when by order of the county commissioners a larger amount may be expended. The county commissioners shall set aside for each road district the sums of money apportioned for each road district at their first meeting in January or as soon thereafter as possible.

Duties of supervisor

Board of road commissioners

When road commissioners may be elected by popular vote

Amount of contracts limited

CHAP. 242—*An Act providing for the establishment of private breeding grounds for the propagation, culture, and maintenance of fur-bearing and food animals and game fowl, for their regulation and licensing, and for the sale, shipment, transportation, and disposition of such animals and fowl raised and propagated therein or thereby, and prescribing a penalty for the violation of the provisions thereof.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any person may establish a private breeding grounds for the propagation, culture, and maintenance of any fur-bearing or food animal, or any game fowl, and any person lawfully conducting any such private breeding grounds and engaged in the propagation, culture, and maintenance of such

Authorizing private breeding grounds for fur-bearing and food animals and game fowl



animals or fowl may take them in his own enclosed grounds wherein the same are so cultivated and maintained, at any time, and for the purpose herein mentioned and none other.

Products  
may be sold  
at any time

SEC. 2. The products of such breeding grounds may be sold at any time of the year by such breeders or their then vendees, after having first complied with the terms of this act.

Owners must  
pay license  
to county

SEC. 3. The owner or proprietor of any private breeding grounds, before he shall be entitled to the benefits of this act, shall pay to the county treasurer of the county wherein such breeding grounds is located an annual license fee of ten dollars (\$10), and such fee shall be credited to the game and fish preservation fund of such county. The application for this license shall contain the location and plan of such breeding grounds.

Invoice to go  
with all sales

SEC. 4. When the proprietor of any licensed breeding grounds shall sell or dispose of any animals or fowl as herein provided, he shall at the same time deliver to the purchaser or donee or attach thereto an invoice signed by the proprietor or his agent, stating the number of his license, and the name of such breeding grounds, the date of disposition, the kind and number of such animals or fowl, the name and address of the purchaser, consignee, or donee. Such invoice shall authorize transportation and use after this date. Such proprietor or his agent shall at the same time mail, postpaid, or otherwise deliver, a duplicate of such invoice to the county game warden of the county in which such breeding grounds are located; *provided*, that no invoice shall be required in case of animals or fowl lawfully taken or killed in such private breeding grounds during the open season therefor, and within the quantity provided by law while in the possession of the person killing the same, during the open season and for five days thereafter.

Duplicate  
invoice for  
game  
warden

Not required  
in open  
season

Invoice to be  
in plain view  
on all freight  
or express  
shipments

SEC. 5. When any such animals or fowl for which an invoice is required to be shipped by rail, express, or other carrier, public or private, the invoice shall be securely attached thereto, or to the package containing the same, in plain sight, and the same may then be lawfully carried and delivered within this state to the consignee named in such invoice. If such animals or fowl are held, exposed, or offered for sale, or sold by the consignee, or kept in any hotel, restaurant, cafe, or boarding-house, such invoice shall be kept attached thereto as aforesaid until the same shall have been prepared for consumption, or in case of furs, until they have been made into a manufactured article. In case of a sale or disposal of a part of such animals or fowl, the vendor shall at the same time make a copy of such invoice and indorse thereon the date of sale, the number and kind of animals or fowl disposed of, and the name of the purchaser, and sign and deliver the same to the purchaser, or donee, who shall keep it attached as aforesaid until the animals or fowl are prepared for consumption,

Further  
regulations



or, in case of furs, made into a manufactured article, and the same shall have the same force and effect as the original invoice.

SEC. 6. Any wilful misstatement, or any omission of a substantial requirement from any invoice or copy thereof, shall render the same void and be deemed a violation of this act, and the possession of such animals or fowl shall be unlawful, and the possession of any such animals or fowl without such invoice or a copy thereof, attached thereto, when so as above required, shall be unlawful. The proprietor of every private breeding grounds, licensed under the preceding sections, shall, whenever required by the county game warden, make and send to the county game warden a report showing, as near as practicable, the kind and number of the animals or fowl added and disposed of during the year preceding and on hand at the date of the invoice.

Misstatement, etc., unlawful

SEC. 7. No person shall be allowed to collect a bounty on any noxious animal which he may maintain under the provisions of this act.

No bounty on animals

SEC. 8. Any person or persons, or the agent of any corporation or company, violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), or by imprisonment in the county jail not exceeding one hundred days, or by both such fine and imprisonment.

Violation of act misdemeanor

Penalty

SEC. 9. Nothing in this act shall be construed so as to permit the trapping, killing or offering for sale of any beaver or the furs therefrom.

Beaver excepted

SEC. 10. All acts and parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 243—*An Act to authorize the board of county commissioners of the county of Humboldt, State of Nevada, to issue bonds to provide for the construction, equipment, and furnishing of an additional story or additional stories to the county high-school building at Winnemucca, Nevada; or for the purchase of a new site for a county high-school building in the town of Winnemucca, Nevada; and for the construction, equipment, and furnishing of a county high-school building on said new site; and authorize the county board of education of said county to sell, in the manner provided in this act, the present site and county high-school building situated thereon, in the town of Winnemucca, Nevada, and other matters properly connected therewith.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The board of county commissioners of Humboldt County is hereby authorized, empowered, and directed

Bonds for  
county high-  
school  
building at  
Winne-  
mucca,  
\$15,000

to prepare and issue bonds of said county for an amount not to exceed the sum of fifteen thousand (\$15,000) dollars, exclusive of interest, for the purpose of providing funds for the construction, equipment, and furnishing of an additional story or additional stories to the county high-school building at Winnemucca, Nevada, or for the purchase of a new site for a county high-school building in the town of Winnemucca, Nevada, and for the construction, equipment, and furnishing of a county high-school building on said new site.

Description  
of bonds

SEC. 2. The board of county commissioners of said Humboldt County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Record to be  
kept

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Negotiation  
of bonds

SEC. 4. The board of county commissioners of Humboldt County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals, or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made payable in gold coin of the United States and the interest thereon shall be payable in like gold coin.

Denomina-  
tion of bonds

SEC. 5. Said bonds shall be each for the sum of five hundred (\$500) dollars. They shall be numbered from one (1) to thirty (30) consecutively, and the interest on the same shall not exceed six per cent (6%) per annum, payable annually on the first Monday in July of each year at the office of the county treasurer of said Humboldt County, and in no case shall any of said bonds run for a longer period than fifteen (15) years.

Limit,  
15 years

Certain high-  
school funds  
established

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and keep the same in the fund hereby created and to be known as the "Humboldt County High School Building Fund," and to pay out said moneys only in the manner now provided by law for the payment of the "County High School Fund," and for the purposes for which same were received.

County com-  
missioners  
to build  
additional  
stories

SEC. 7. The board of county commissioners of Humboldt County is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the construction, equipment, and furnishing of an additional story or additional stories to

the county high-school building, at Winnemucca, Nevada, or to use said moneys, together with the money derived from the sale hereinafter authorized, for the purchasing of a site and for the establishment, construction, equipment, and furnishing a county high-school building in the town of Winnemucca, Nevada. Any balance remaining in said fund after the completion of the construction, equipment, and furnishing, as herein provided, shall be turned over and converted into the proper fund provided for running and maintaining of said high school in accordance with and pursuant to the provisions of the law pertaining to the establishment, maintenance, and management of high schools in the various counties of this state.

Residue of funds for maintenance of high school

SEC. 8. Said board of county commissioners shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made said board shall advertise for bids for the construction of an additional story or additional stories to the county high-school building at Winnemucca, Nevada, should it in their judgment be deemed for the best interests to construct such additional story or additional stories to the county high-school building at Winnemucca, Nevada, and let the construction thereof by contract to the lowest and most responsible bidder. Should it be, by said board of county commissioners, deemed for the best interests to purchase a new site for a county high-school building in the town of Winnemucca, Nevada, and for the construction of a county high-school building thereon as soon as possible after the passage and approval of this act, or after this act becomes a law, the county commissioners of said county of Humboldt shall proceed to select and procure, either by purchase or otherwise, an appropriate site for the said county high-school building in the town of Winnemucca in said county, and said board of county commissioners of said county shall determine as to the character of building to be constructed upon said site, the material to be used therefor and the plans therefor, and when such determination is made said board shall advertise for bids for the construction of said building and let the construction thereof by contract to the lowest and most responsible bidder.

Commissioners to determine character of additions

May select new site

SEC. 9. The laws in force governing the letting of contracts by boards of county commissioners are hereby made applicable to and the same shall govern the action of the said board of county commissioners in carrying out the provisions of this act. All demands and bills contracted by the said board of county commissioners in carrying out the provisions of this act shall be paid in the manner now provided by law for paying claims against the "County High School Fund"; *provided*, that no such bills shall be allowed until the plans for the said high-school building shall have been approved by the state superintendent of public instruction.

General laws to govern action of board

SEC. 10. The county treasurer of said Humboldt County

Treasurer  
responsible

shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of his duties in relation thereto.

"Humboldt  
County High  
School Bond  
Redemption  
Fund"

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said Humboldt County are hereby authorized and required to levy and collect a special tax on all the property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Humboldt County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds, and to pay and retire, beginning with bond number one and consecutively thereafter, two of said bonds annually, beginning with the first Monday in July, 1916, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund, to be known as the "Humboldt County High School Bond Redemption Fund."

Interest paid  
annually

SEC. 12. It shall be obligatory on the said county and its proper officers, annually, beginning on the first Monday in July, 1916, to fully pay the accrued interest on said bonds, beginning with the first number thereof, until all of said bonds are redeemed and retired.

Tax ceases,  
when

SEC. 13. Whenever the bonds and interest provided for in this act shall have been fully paid the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the fund used to pay the contingent expenses of said county high school.

Cancellation  
of bonds

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Interest  
ceases, when

SEC. 15. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall immediately cease.

Board of  
education  
may sell  
present  
building and  
site

SEC. 16. The county board of education of Humboldt County is hereby authorized, empowered, and directed to offer for sale and to sell the present county high-school site and the county high-school building situated thereon, at Winnemucca, Nevada, to the highest bidder for cash, gold coin of the United States, and to turn over to the county treasurer of the said Humboldt County all proceeds of such sale, which said proceeds of such

sale, together with the money derived from the sale of the bonds hereinbefore specified, shall be applied by said board of county commissioners to the purchase of the said new site and the construction, furnishing, and equipping of the high-school building aforesaid thereon; *provided, however*, that no such sale shall be made for less than twenty thousand dollars.

Minimum  
sale price,  
\$20,000

SEC. 17. Said sale shall be made by giving notice thereof in a newspaper printed and published in said county, for a period of three weeks, successively, immediately prior to the day specified in said notice for the holding of said sale, and the same shall be held at the time and place specified by said board of education and in said notice given, and the moneys derived therefrom shall be paid over to the county treasurer and kept by said county treasurer in the "Humboldt County High School Building Fund," and said treasurer shall pay out the same in the manner now provided by law for the payment of moneys out of the "County High School Fund," and by and through an order of the said board of county commissioners of said Humboldt County, and for the purposes for which the same are received. And the said county board of education shall make, execute, and deliver a deed, in due legal form, to the purchaser of said site and building, upon the making of said sale.

Notice of  
sale to be  
published

Board of  
education to  
execute deed

SEC. 18. The faith of the State of Nevada is hereby pledged that this act shall not be repealed and the taxation hereby provided be omitted until all the bonds and coupons issued under and by virtue of this act shall have been paid in full, as in this act specified.

Faith of state  
pledged

CHAP. 244—*An Act to amend section 2 of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," approved March 23, 1911.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 2 of the above-entitled act is hereby amended so as to read as follows:

Section 2. The railroad commission of Nevada shall be, ex

Railroad  
commission  
to be, ex  
officio, public  
service com-  
mission

officio, the public service commission hereby created, and for the purposes of this act it shall be known as and styled "Public Service Commission of Nevada." It shall provide itself with a seal bearing these words, by which its official acts shall be authenticated in all cases where a seal is required; and in the name, as above set forth, it may sue and be sued in the courts of the state and of the United States. The secretary of the railroad commission of Nevada shall act as secretary of the commission hereby created, but the business of the public service commission shall be kept entirely separate from that of the railroad commission. For his services under the provisions of this act, the secretary shall receive a salary of fifty dollars per month, payable in the same manner as the salaries of other state officers are paid.

Secretary's  
salary, \$50  
per month

CHAP. 245—*An Act authorizing the state librarian to purchase and install shelving, central chandelier and fire-proof doors, for the state library.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Shelving,  
and other  
equipment  
for state  
library; paid  
from library  
fund

SECTION 1. The state librarian is hereby authorized to use any moneys in the state library fund to purchase and install steel shelving, for the accommodation and arrangement of the books now stored in the basement and dome of the state capitol building, and he is further authorized to arrange for the purchase and installation of a central chandelier and for the purchase and installation of fire-proof doors between the capitol building and the library building, and the state controller is hereby authorized to draw his warrant, and the state treasurer is directed to pay the same.

CHAP. 246—*An Act to provide for a state educational survey by an unpaid commission, and other matters properly connected therewith.*

[Approved March 25, 1915]

PREAMBLE

WHEREAS, The teachers of Nevada, in state institute assembled in December, 1914, adopted the following resolution:

State educa-  
tional survey  
provided for

"*Be it Resolved*, That we do hereby petition the state board of education to initiate action designed to secure for Nevada an educational survey to be made under the direction of an unpaid commission of business men, educators, and other professional men and women to be appointed by the governor; such commission to consider all matters pertaining to the



educational needs of the state, and to the efficiency of all educational agencies, and to make recommendations based on careful study, and designed to increase the efficiency of our educational system"; and

WHEREAS, The state board of education has favorably considered the subject-matter of the foregoing resolution; and

WHEREAS, Such surveys have been made in other states to the great educational advantage of the people, furnishing important information and data for the use and guidance of lawmakers; and

WHEREAS, The conclusions of such a commission would be of large interest and benefit to the people of Nevada, and to the next legislature, involving among other important matters, consideration of the organization, equipment, and supervision of the public schools: now, therefore,

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Within thirty days after the passage of this act the governor shall appoint a state educational survey commission, which shall consist of ten members, including the state board of education, who shall be a part of the commission. This commission shall make an educational survey of the state along the lines set forth in the preamble to this act, including such other features of educational need as it may deem proper.

Governor  
to appoint  
commission

SEC. 2. The commission shall report to the next session of the legislature its conclusions, together with a plan of general constructive legislation for the schools of the state, proper to carry into effect said conclusions.

To report  
to next  
legislature

SEC. 3. The members of the commission shall serve without pay. There is hereby appropriated the sum of two thousand five hundred dollars (\$2,500), or such part thereof as may be necessary, out of the moneys of the state not otherwise appropriated, to pay necessary clerical and traveling expenses of the commission.

No compensation; \$2,500  
for clerical  
and traveling  
expenses

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CHAP. 247—*An Act to amend an act entitled "An act regulating the sheep industry in the State of Nevada, creating a state board of sheep commissioners, defining their duties, and prescribing their compensation," approved March 26, 1907.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 9 of the above-entitled act is hereby amended so as to read as follows:

Section 9. When sheep become infected with foot-and-mouth

Infected  
sheep to  
be killed;  
owner paid  
not over \$4  
per sheep

disease, or any incurable, infectious, or malignant disease, said board has the authority, if necessary, to order such diseased sheep destroyed; *provided*, in case said board orders sheep killed, it shall pay to the owner thereof, out of any funds it has on hand, one-half the market price of said sheep; *provided, further*, said board shall not at any time pay more than four (\$4) dollars the head for any one such sheep so killed or destroyed.

SEC. 2. The above-entitled act is hereby amended by adding a section, numbered 9½, to read as follows:

Bounties  
for killing  
certain ani-  
mals named;  
paid by  
sheep com-  
mission from  
its funds

Section 9½. The board is authorized and empowered to offer and pay bounties out of its funds for the killing and destruction of the following-named animals, killed in the State of Nevada, to wit: For each coyote or coyote pup, seventy-five (75c) cents; for each wildcat or lynx, seventy-five (75c) cents; and for each mountain lion, five (\$5) dollars. Any person killing any of the aforesaid animals in order to obtain the bounty provided for herein shall, within ninety (90) days of the date of the killing, present, or cause to be presented by his duly authorized agent, to the county clerk of the county in which said animal or animals have been killed, the entire skin of each of said animal or animals, which skin includes and must have attached thereto all four of the paws, or feet, the tail, and the skin of the head, eye-holes and skin to tip of nose; and shall at the same time make and file with the said county clerk an affidavit, which said affidavit shall state: first, the kind of animal or animals from which said skin or skins were taken and the number of skins presented; second, that the county in which said animal or animals were killed is the county in which their skins are presented for payment of a bounty; third, that said animal or animals from which said skins were taken were not bought or received, dead or alive, from any other county or state; fourth, that said animals were killed within ninety (90) days from the date of making said affidavit; fifth, that said animal or animals were killed in such county, and in the State of Nevada; and sixth, that the same were not fostered or whelped in captivity prior to the killing thereof. The said county clerk may, if he deems it advisable, require of such applicant for bounty such other corroborative testimony as to him seems proper concerning the truth set forth in such affidavit; *provided*, that when in doubt as to the kind of skin or skins presented, the order shall be issued for the lesser bounty. The county clerk shall cut off the four (4) paws or feet at the knee and also cut off the ears and scalp and destroy them. The said clerk shall then certify to the said board that he received the said hides, that the required affidavit or affidavits have been made, and that he has destroyed the four feet, scalp, and ears in conformity with law, and also certify the name of the animals killed, the number, where killed, and by whom, and the bounty due. The board shall forthwith remit the bounty due to the party presented.

Regulations  
as to pelts  
of noxious  
animals

Lesser  
bounty paid  
in case of  
doubt

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 248—*An Act to amend an act entitled "An act to protect public roads and highways from damage by water, and to provide a penalty for a failure to do so," approved March 18, 1911, 96.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section one of an act entitled "An act to protect public roads and highways from damage by water, and to provide a penalty for failure to do so," approved March 18, 1911, 96, is hereby amended to read as follows:

Water user must protect roads, streets, etc., from damage by water

Section 1. From and after the passage of this act, all persons, corporations, or associations conducting water across any public road or highway, or across any street or alley in any unincorporated town in this state, for domestic, mining, agricultural, or manufacturing purposes, shall construct, at their own expense, good and substantial culverts or bridges over such crossing, and shall in no case allow any stream of water, diverted from its natural channel for such purposes by them, to flood or wash any public road or any street or alley in any unincorporated town of this state.

SEC. 2. Section two of the above-entitled act is hereby amended to read as follows:

Section 2. Any person, corporation, or association violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars.

Violation of act; penalty

CHAP. 249—*An Act relating to and requiring the rerecording of brands upon live stock.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Every person, company, or corporation having horses, cattle, or other live stock and owning a brand or mark, or brands or marks, for the same, shall record such brand or brands, or mark or marks, with the county recorder on or before the first day of January, 1916, and again within sixty days prior to the first day of January, 1921, and repeatedly within sixty days prior to the first day of January at the end of each five-year period thereafter, such record to be made in the manner provided by existing laws for the recording of marks and brands.

Marks and brands to be recorded; rerecorded at end of 5-year periods

Brands  
deemed  
abandoned  
unless  
recorded

Proviso

Notice must  
be given

Recorder to  
give notice  
of right to  
recorded  
brands

Notice to be  
published in  
newspaper

Present law  
to govern

Fees named

Bill of sale  
of brand

SEC. 2. On and after the first day of January, 1916, no person, company, or corporation shall claim or own any brand or mark which has not been rerecorded in accordance with the provisions of this act, and any failure to rerecord a brand or mark as required by the provisions of this act shall be deemed an abandonment of the same, and any person, company, or corporation shall be at liberty to adopt and use any brand or mark so abandoned; *provided*, that no person, company, or corporation shall be at liberty to claim or use any such abandoned brand or mark until after he has caused the same to be recorded in his own name, under the provisions of this act; *and provided further*, that before such brand or mark may be claimed or used by such person, company, or corporation, the notice specified in the following section shall have been given.

SEC. 3. It shall be the duty of the county recorder to notify the owner of any recorded mark or brand, at least sixty days prior to the expiration of any time in this act provided for the rerecording of any mark or brand, of his right to rerecord the same. Such notice shall be given in writing, and shall be addressed to such owner at the postoffice address named upon the books of said county recorder, and such notice shall be complete at the expiration of sixty days from the date of its mailing by said county recorder.

SEC. 4. It shall be the duty of the county recorder to publish in one newspaper in the county at least once a week for six consecutive weeks, and for seven consecutive weekly insertions, within sixty days prior to the expiration of any time in this act providing for the rerecording of any mark or brand, a notice of the expiration of the time fixed by this act for the rerecording of marks and brands and of the right of all persons owning any mark or brand to rerecord the same, which notice shall not exceed two hundred words.

SEC. 5. All rerecording of old brands or marks, and all recording of new brands or marks, shall be done and made in all respects in accordance with the provisions of existing laws for the recording of marks and brands.

SEC. 6. For rerecording of any old brand or mark, the fee shall be the sum of fifty cents; for recording a new brand or mark, or any old brand or mark in the name of the new owner, the fee shall be as now allowed by law.

SEC. 7. A bill of sale, duly witnessed, of any recorded mark or brand shall be *prima facie* evidence of ownership of such brand.

CHAP. 250—*An Act requiring school trustees to advertise for bids on contracts for the erection of new school buildings, or for the repairing or adding to an old school building, whenever the cost of such work is to exceed five hundred dollars.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Whenever the trustees of any school district shall decide to erect any new school building that is to cost more than five hundred dollars or to repair or add to any old school building, which repair or addition is to cost more than five hundred dollars, or to purchase school furniture that is to cost more than five hundred dollars they shall advertise for bids for the contract to erect the said new building, or to make the repairs or addition. Such advertising shall be done in the following manner: If a daily newspaper is published in the district, the advertisement for bids shall be published in such newspaper for ten successive days previous to the opening of such bids. If there is only a weekly newspaper published in the district, the advertisement for bids shall be published in at least two weekly issues previous to the opening of such bids. If no newspaper is published in the district the trustees shall cause such advertisement to be published in some paper in the county for the same periods of time as those mentioned above in this section.

Trustees must advertise for bids on all work over \$500

In newspapers, when

SEC. 2. In all cases where more than five hundred dollars is to be expended upon the erection of any school building, or upon the repair or addition to any school building or upon the purchase of school furniture, the trustees shall award the contract for such work to the lowest and best bidder for the contract.

Contract to go to lowest and best bidder

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 251—*An Act to amend section six of an act entitled "An act to limit expenditures for campaign and election purposes to candidates, their political agents, and managing committees of political parties; to prescribe the manner of appointment of such agents; to limit the contributions, expenditures and liabilities of candidates, political agents and managing committees of political parties; to define, prohibit and punish corrupt and illegal practices in connection with or relative thereto at primary, special and general elections; to secure and protect the purity of the ballot; to prohibit the use of conveyances to carry voters to the polls; to prohibit the peddling or distributing of liquors and cigars by candidates for office; to prohibit and punish the making, publication and circulation of false charges and statements against candidates, the doing of any act tending to deceive or interfere with the voter; and to provide for furnishing information to electors," approved March 31, 1913.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
corrupt prac-  
tices act

SECTION 1. Section 6 of an act entitled "An act to limit expenditures for campaign and election purposes to candidates, their political agents, and managing committees of political parties; to prescribe the manner of appointment of such agents; to limit the contributions, expenditures and liabilities of candidates, political agents and managing committees of political parties; to define, prohibit and punish corrupt and illegal practices in connection with or relative thereto at primary, special and general elections; to secure and protect the purity of the ballot; to prohibit the use of conveyances to carry voters to the polls; to prohibit the peddling or distributing of liquors and cigars by candidates for office; to prohibit and punish the making, publication and circulation of false charges and statements against candidates, the doing of any act tending to deceive or interfere with the voter; and to provide for furnishing information to electors," approved March 31, 1913, is hereby amended so as to read as follows:

Political  
party  
limited to  
\$15,000  
campaign  
expenses

Section 6. No political party in any campaign in this State through its managing committees or otherwise shall pay, distribute or expend any sum of money, or incur, authorize or permit any expenses or liabilities in excess of the sum of fifteen thousand (\$15,000) dollars.

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CHAP. 252—*An Act to amend an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 23 of the above-entitled act is hereby amended to read as follows:

- Section 23. Teachers' certificates in this state shall be:
- |   |  |
|---|--|
| 1. High school, authorizing the holder thereof to teach in any high school or elementary school in the state; <i>provided</i> , that after September 1, 1916, no one shall be entitled to teach the regular elementary school subjects unless he holds an elementary certificate; | Classes of teachers' certificates<br>High school |
| 2. Elementary, authorizing the holder thereof to teach in any elementary school in the state; <i>provided</i> , that no teacher shall be eligible to act as principal of an elementary school unless he or she holds an elementary certificate of the first grade;                | Elementary                                       |
| 3. Special, authorizing the holder to teach such special branches of learning, and in such grades, as are named in the certificate;   | Special  |
| 4. Temporary, authorizing the holder to teach such branches of learning, and in such grades and school districts, as are named in the certificate.  | Temporary  |

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

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**CHAP. 253—An Act to amend an act entitled “An act to provide a water law for the State of Nevada; providing a system of state control; creating the office of the state engineer and other offices connected with the appropriation, distribution, and use of water; prescribing the duties and powers of the state engineer and other officers, and fixing their compensation; prescribing the duties of water users, and providing penalties for failure to perform such duties; providing for the appointment of water commissioners, defining their duties, and fixing their compensation; providing for a fee system, for the certification of records, and an official seal for the state engineer’s office; providing for an appropriation to carry out the provisions of this act; and other matters properly connected therewith, and to repeal all acts and parts of acts in conflict with this act, repealing an act to provide for the appropriation, distribution, and use of water, and to define and preserve existing water rights, to provide for the appointment of a state engineer, an assistant state engineer, and fixing their compensation, duties, and powers, defining the duties of the state board of irrigation, providing for the appointment of water commissioners and defining their duties,” approved February 26, 1907; also repealing an act amendatory of a certain act entitled “An act to provide for the appropriation, distribution, and use of water, and to define and preserve existing water rights, to provide for the appointment of a state engineer and assistant state engineer, and fixing their compensation, duties and powers, defining the duties of the state board of irrigation, providing for the appointment of water commissioners, and defining their duties, approved February 26, 1907, and to provide a fee system, for the certification of the records of, and an official seal for, the state engineer’s office, and other matters relating thereto.” approved February 20, 1909, approved March 22, 1913.**

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
water law

**SECTION 1.** Section twenty-five of the above-entitled act is hereby amended to read as follows:

Various  
duties of  
state  
engineer  
enumerated

**Section 25.** It shall be the duty of the state engineer to commence the taking of proofs on the date fixed and named in the notice provided for herein for the commencement of the taking of proofs, and he shall proceed therewith during the period fixed by him and named in the said notice, after which no proofs shall be received by or filed with the said state engineer; *provided, however,* that the state engineer may in his discretion, for cause shown, extend the time in which proofs may be filed. Upon neglect or refusal of any person to make proof of his claim or rights in or to the waters of such stream system, as required by this act, prior to the expiration of the period

fixed by said state engineer during which proofs may be filed, the state engineer shall determine the right of such person from such evidence as he may obtain or may have on file in his office in the way of maps, plats, surveys and transcripts, and exceptions to such determination may be filed in court, as hereinafter provided.

SEC. 2. Section thirty of the above-entitled act is hereby amended to read as follows:

Section 30. The state engineer shall fix a time and place for the hearing of said contest, which date shall not be less than thirty (30) days nor more than sixty (60) days from the date the notice is served on the persons who are parties to the contest. Said notice may be sent by registered mail to the person, and the receipt thereof shall constitute valid and legal service. Said notice may also be served by the state engineer, or by any person qualified and competent to serve subpoenas as in civil actions, appointed by him, and returns thereof made in the same manner as in civil actions in the district courts of the state. The state engineer shall have power to adjourn hearings from time to time upon reasonable notice to all parties interested, and to issue subpoenas and compel the attendance of witnesses to testify at such hearings, which shall be served in the same manner as subpoenas issued out of the district courts of the state. He shall have the power to administer oaths to witnesses. In the case of neglect or refusal on the part of any person to comply with any order of the state engineer or any subpoena, or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county, or any judge thereof, on application of the state engineer, to issue attachment proceedings for contempt, as in the case of disobedience of a subpoena issued from such court, or a refusal to testify therein. Said witnesses shall receive fees as in civil cases, the costs to be taxed in the same manner as in civil actions in this state. The evidence in such proceedings shall be confined to the subjects enumerated in the notice of contest and answer and reply, when the same are permitted to be filed. All testimony taken at such hearings shall be reported and transcribed in its entirety.

Hearings for  
determina-  
tion of water  
rights

SEC. 3. Section thirty-three of the above-entitled act is hereby amended to read as follows:

Section 33. As soon as practicable after the hearing of contests, it shall be the duty of the state engineer to make, and cause to be entered of record in his office, an order determining and establishing the several rights to the waters of said stream; *provided, however*, that within sixty days after the entry of an order establishing water rights, the state engineer may, for good cause shown, reopen the proceedings and grant a rehearing. Such order of determination shall be certified to by the state engineer, and as many copies as required printed in the state printing office. A copy of said order of determina-

State engi-  
neer to make  
and record  
order deter-  
mining water  
rights

tion shall be sent by registered mail, or delivered in person, to each person who has filed proof of claim, and to each person who has become interested through intervention or as a contestant under the provisions of section 26 or section 29 of this act.

SEC. 4. Section thirty-four of the above-entitled act is hereby amended to read as follows:

Order to be  
filed with  
county clerks  
of counties  
where  
stream  
system is  
situated

Section 34. As soon as practicable thereafter a certified copy of the order of determination, together with the original evidence and transcript of testimony filed with, or taken before, the state engineer, as aforesaid, duly certified by him, shall be filed with the clerk of the county, as ex officio clerk of the district court, in which said stream system is situated, or if in more than one county but all within one judicial district, then with the said clerk of the county wherein reside the largest number of parties in interest. But if such stream system shall be in two or more judicial districts, then the state engineer shall notify the district judge of each of such judicial districts of his intent to file such order of determination, whereupon, within ten days after receipt of such notice, such judges shall confer and agree where the court proceedings under this act shall be held and upon the judge who shall preside, and on notification thereof the state engineer shall file said order of determination, evidence, and transcripts with the clerk of the court so designated; *provided*, that if such district judges fail to notify the state engineer of their agreement, as aforesaid, within five days after the expiration of such ten days, then, and in that event, the state engineer may file such order of determination, evidence, and transcript with the clerk of any county he may elect, and the district judge of such county shall have jurisdiction over the proceedings in relation thereto. In all instances a certified copy of the order of determination shall be filed with the county clerk of each county in which such stream system, or any part thereof, is situated. Upon the filing of the certified copy of said order, evidence, and transcript with the clerk of the court in which the proceedings are to be had, the state engineer shall procure an order from said court setting the time for hearing. The clerk of such court shall immediately furnish the state engineer with a certified copy thereof. It shall be the duty of the state engineer immediately thereupon to mail a copy of such certified order of the court, by registered mail, addressed to each such party in interest at his last known place of residence, and to cause the same to be published at least once a week for four consecutive weeks in some newspaper of general circulation published in each county in which such stream system or any part thereof is located, and the state engineer shall file with the clerk of the court proof of such service by registered mail and by publication. And such service by registered mail and by publication shall be deemed full and sufficient notice to all parties in interest of the date and purpose of such hearing.

Proviso

Further  
regulations  
concerning  
order

Order  
published,  
when

What  
deemed full  
notice

SEC. 5. Section thirty-five of the above-entitled act is hereby amended to read as follows:

Section 35. At least five days prior to the day set for hearing all parties in interest who are aggrieved or dissatisfied with the order of determination of the state engineer shall file with the clerk of said court notice of exceptions to the order of determination of the state engineer, which notice shall state briefly the exceptions taken, and the prayer for relief, and a copy thereof shall be served upon or transmitted to the state engineer by registered mail. The order of determination by the state engineer and the statements or claims of claimants and exceptions made to the order of determination shall constitute the pleadings and there shall be no other pleadings in the cause. If no exceptions shall have been filed with the clerk of the court as aforesaid, then on the day set for the hearing, on motion of the state engineer, or his attorney, the court shall enter a decree affirming said order of determination. On the day set for hearing all parties in interest who have filed notices of exceptions as aforesaid shall appear in person or by counsel, and it shall be the duty of the court to hear the same or set the time for hearing, until such exceptions are disposed of, and all proceedings thereunder shall be as nearly as may be in accordance with the rules governing civil actions.

Exceptions  
to order,  
how made

Decree of  
court, when

SEC. 6. Section thirty-six of the above-entitled act is hereby amended to read as follows:

Section 36. For further information on any subject in controversy the court may employ one or more qualified persons to investigate and report thereon under oath, subject to examination by any party in interest as to his competency to give expert testimony thereon. The court, may, if necessary, refer the case or any part thereof for such further evidence to be taken by the state engineer as it may direct, and may require a further determination by him, subject to the court's instructions. After the hearing, the court shall enter a decree affirming or modifying the order of the state engineer. Upon the hearing the court may assess and adjudge against any party such costs as it may deem just and equitable, or may assess the costs in proportion to the amount of water right allotted. Appeals from such decree may be taken to the supreme court by the state engineer or any party in interest, in the same manner and with the same effect as in civil cases.

Expert  
witnesses  
may be  
called by  
court

Costs, how  
assessed

SEC. 7. Section thirty-seven of the above-entitled act is hereby amended to read as follows:

Section 37. The county clerk immediately upon the entry of any decree by such court, shall transmit a certified copy of said decree to the state engineer, who shall immediately enter the same upon the records of his office, and which said decree, subject only to the provisions of law relating to appeal and stay of proceedings, shall be in full force and effect.

Copy of  
court decree  
filed with  
state engi-  
neer

SEC. 8. Section thirty-eight of the above-entitled act is hereby amended to read as follows:

Division of  
water made  
by state  
engineer  
pending  
court's deter-  
mination

Section 38. From and after the filing of the order of determination, evidence, and transcript with the county clerk as aforesaid, and during the time the hearing of said order is pending in the district court, the division of water from the stream involved in such determination shall be made by the state engineer in accordance with said order of determination.

SEC. 9. Section thirty-nine of the above-entitled act is hereby amended to read as follows:

Operation of  
order may  
be stayed,  
how

Section 39. At any time after the order of determination, evidence and transcript has been filed with the clerk of the court, as aforesaid, the operation of said order of determination may be stayed in whole or in part by any party upon filing a bond in the court wherein such determination is pending in such amount as the judge thereof may prescribe, conditioned that such party will pay all damage that may accrue by reason of such determination not being enforced, pending decree by said court. Immediately upon the filing and approval of such bond, the clerk of the court shall transmit to the state engineer a certified copy of such bond, which shall be recorded in the records of his office, and he shall act in accordance with such stay.

Bond

Certain  
sections  
repealed

SEC. 10. Sections forty, forty-one, forty-two, forty-three, and forty-four of the above-entitled act are hereby repealed.

SEC. 11. Section fifty-two of the above-entitled act is hereby amended to read as follows:

Governor  
to appoint  
water com-  
missioners

Section 52. There shall be appointed by the governor one or more water commissioners for each water district, who shall receive a salary, including all expenses, of not more than five dollars (\$5) per day for each day actually employed on the duties herein mentioned. Such water commissioners shall execute the laws prescribed in sections 53 to 88, inclusive, of this act, under the general direction of the state engineer. The salary of such water commissioners shall be paid by the water users in the district in which they shall serve. The charge against each water user shall be based upon the proportion which his water right bears to the aggregate water rights in such district as determined by the state engineer or the court; *provided, however*, that the minimum charge to each water user shall be one dollar. The state engineer shall prepare and certify a list of the owners and areas of land served by such water commissioners, together with the addresses taken from the tax roll of said county, and transmit the same to the board of county commissioners of the county in which such water commissioners serve, and upon receipt thereof the said board shall transmit to each and every such owner a statement showing the amount due for the services so rendered. Should such property owner fail to make payment to the county treasurer within thirty days from the receipt of such statement, then such amount shall constitute a lien upon the property served by such water commissioner, and be collectible in the same manner as taxes levied against said property. Upon receipt

Duties of  
said com-  
missioners

Charges,  
how based

Minimum  
charge

Defaulted  
payments  
lien on  
property



of a certified statement from the state engineer, showing the number of days such commissioners were actually employed, and the amount due, the board of county commissioners shall draw a warrant against the general fund of such county for the payment of such claim. The county treasurer shall credit the general fund of the county with the moneys collected from the water users as above provided.

Water com-  
missioners  
paid by  
county

SEC. 12. Section seventy-three of the above-entitled act is hereby amended to read as follows:

Section 73. The following fees shall be collected by the state engineer in advance, and shall be accounted for and paid by him into the general fund of the state treasury, once each month; *provided, however*, that the fees named in subdivision (c) of this section shall not apply to permits for underground waters; *and provided further*, that five dollars shall be the minimum fee for issuing and recording any permit:

Fees of state  
engineer

Minimum, \$5

(a) For examining and filing an application for permit to appropriate water, fifteen dollars (\$15), which shall include the cost of publication, which publication fee is hereby fixed at ten dollars (\$10).

Fees of state  
engineer

(b) For examining and filing an application for permit to change the point of diversion, manner of use, or place of use, twenty-five dollars (\$25), which shall include the cost of permit should the same issue thereunder, and the cost of publication of such application.

(c) For issuing and recording permit to appropriate water for irrigation purposes, five cents per acre for each acre to be irrigated, up to and including one hundred acres, and three cents for each acre in excess of one hundred acres, up to and including one thousand acres, and two cents for each acre in excess of one thousand acres.

(d) For issuing and recording permit for power purposes, twenty-five cents for each theoretical horsepower to be developed up to and including one hundred horsepower, and fifteen cents for each horsepower in excess of one hundred horsepower, up to and including one thousand horsepower, and ten cents for each horsepower in excess of one thousand.

(e) For issuing and recording permit to store water, two cents for each acre-foot of water to be stored, up to and including one thousand acre-feet, and one cent for each acre-foot in excess of one thousand.

(f) For issuing and recording permit to appropriate water for any other purpose, \$5 for each second-foot of water applied for, or fraction thereof.

(g) For filing secondary permit under reservoir permit, \$5; for approving and recording permit under reservoir permit, \$5.

(h) For filing proof of commencement of work, \$1.

(i) For filing proof of completion of work under any permit, \$1.

(j) For filing any protest, affidavit, or any other water-right instrument or paper, \$1.

Fees of state  
engineer

(k) For making copy of any document recorded or filed in his office, one dollar for the first hundred words, and twenty cents for each additional one hundred words or fraction thereof; where the amount exceeds \$5, then only the actual cost in excess of that amount shall be charged.

(l) For certifying to copies of documents, records, or maps, one dollar for each certificate.

(m) For blue-print copy of any drawing or map, ten cents per square foot.

(n) For such other work as may be required of his office, actual cost of the work.

SEC. 13. Section seventy-five of the above-entitled act is hereby amended to read as follows:

Aggrieved  
party may  
have order  
reviewed,  
how

Section 75. Any person feeling himself aggrieved by any order or decision of the state engineer, acting in person or through his assistants or the water commissioners, affecting his interests, when such order or decision relates to the administration of determined rights or is made pursuant to sections 52 to 88, inclusive, of this act, may have the same reviewed by a proceeding for that purpose, in so far as may be in the nature of an appeal, which shall be initiated in the proper court of the county in which the matters affected or a portion thereof are situated. The proceedings in every case shall be heard and tried by the court, and shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. And no such proceeding shall be entertained unless notice thereof, containing a statement of the substance of the order or decision complained of, and of the manner in which the same injuriously affects the petitioner's interests, shall have been served upon the state engineer, personally or by registered mail, at his office at the state capitol within thirty days following the rendition of the order or decision in question. A similar notice shall also be served personally or by registered mail upon the person or persons who may have been affected by such order or decision. Where evidence has been filed with, or testimony taken before, the state engineer, acting as aforesaid, a transcribed copy thereof, or of any specific part of the same, duly certified as a true and correct transcript in the manner provided by law, shall be received in evidence with the same effect as if the reporter were present and testified to the facts so certified. A copy of said transcript shall be furnished on demand, at actual cost, to any person affected by such order or decision, and to all other persons on payment of a reasonable amount therefor, to be fixed by the state engineer. No bond shall be required except a stay is desired, and the proceedings herein provided for shall not be a stay unless, within five days following the service of notice thereof, a bond shall be filed in an amount to be fixed by the court, with sureties satisfactory to such court, conditioned to perform the judgment rendered in such proceedings. Costs shall be paid as in civil cases brought in the

Notices must  
be served  
to parties  
concerned

Transcript of  
testimony

Bond  
required  
when stay  
is desired

district court, except by the state engineer or the state; and the practice in civil cases shall apply and be consistent with the informal and summary character of such proceedings, as herein provided. Appeals may be taken to the supreme court from the judgment of the district court in the same manner and with the same effect as in other civil cases, except that notice of appeal must be served and filed within sixty days from the entry of judgment. The decision of the state engineer shall be *prima facie* correct, and the burden of proof shall be upon the party attacking the same. Whenever it shall appear to the state engineer that any litigation, whether now pending or hereafter brought, may adversely affect the rights of the public in water, it shall be his duty to request the attorney-general to appear and protect the interests of the state.

Appeals,  
how taken

Attorney-  
general to  
appear for  
state

SEC. 14. A new and further section is hereby added and the same shall be and is hereby incorporated in the above-entitled act and shall be known and designated as section 88a, as follows:

Section 88a  
added

Section 88a. Any and all maps, plats, surveys, and evidence on file in the office of the state engineer relating to any proof of appropriation involved in the proceedings for the determination of the relative rights in and to the waters of any stream system, obtained or filed under the provisions of this or any preceding act relating to the office of state engineer, shall be admissible in court and shall have the same force and effect as though obtained and submitted under the provisions of this act as amended; *provided*, that at least ninety days prior to the rendering of his order of determination of the relative rights in and to the waters of any stream system, the state engineer shall notify all parties in interest of his intention to consider such maps, plats, and evidence, and of his intention to submit his findings to the court under the provisions of this act as amended; such notice to be given in the manner prescribed in section 22 of this act. Within sixty days after such notice, any such party in interest may file with the state engineer any additional or supplementary maps, plats, surveys, or evidence, or objections to the admissibility of any evidence hitherto presented and on file in the office of the state engineer, in relation to his claim of water right or adverse to the claim or claims of the water right of any other party or parties in interest, in order so to perfect his claim in accordance with the provisions of this amended act, and the state engineer shall consider the whole thereof in rendering such order of determination, and the same shall become a part of the record which shall be submitted to the court as provided by sections 34 to 39, inclusive, of this act.

All docu-  
mentary  
evidence,  
maps, etc.,  
admissible  
in court

Proviso

All evidence  
to be con-  
sidered

SEC. 15. A new and further section is hereby added and the same shall be and is hereby incorporated in the above-entitled act and shall be known and designated as section 88b, as follows:

Section 88b  
added

Section 88b. In all cases where the state engineer has

Relative  
rights sub-  
mitted to  
court

already issued findings declaring the relative rights of appropriators in and to the waters of any stream system, the same may be submitted to the court under the provisions of sections 34 to 39, inclusive, of this act.

Section 88c  
added

SEC. 16. A new and further section is hereby added and the same shall be and is hereby incorporated in the above-entitled act and shall be known and designated as section 88c, as follows:

Engineer  
secretary of  
state board  
of irrigation

Section 88c. The state engineer is hereby made a member of the state board of irrigation and shall act as secretary of such board.

In effect

SEC. 17. This act shall take effect from and after its passage and approval.

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CHAP. 254—*An Act to amend an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Superin-  
tendent of  
public  
instruction  
to apportion  
school funds

SECTION 1. Section 152 of the above-entitled act (section 3391 of the Revised Laws of Nevada, 1912) is hereby amended to read as follows:

Method of  
apportioning  
school funds

Section 152. The superintendent of public instruction shall, immediately after he has apportioned the state distributive school fund, as provided in this act, proceed to apportion the county school fund of each county among its several school districts. He shall apportion the county school fund as follows:

1. He must ascertain the number of teachers to which each district is entitled by calculating one teacher for every seventy-five census children or fraction thereof as shown by the last preceding census report;

2. He must ascertain the total number of teachers for the county by adding together the number of teachers assigned to the several school districts upon the basis of one teacher to each seventy-five census children or fraction thereof;

3. Forty per cent of the amount of the county school fund shall be apportioned equally to each school district for every teacher assigned to it upon the basis of seventy-five census children or fraction thereof;

4. All school moneys remaining on hand in the county school fund after apportioning forty per cent of the county school fund equally to each school district for every teacher assigned to it, upon the basis of seventy-five census children or fraction thereof, must be apportioned to the several school districts in proportion to the number of school-census children between the ages of six and eighteen years, as shown by the last preceding school census. The superintendent of public instruction shall by means of a printed report notify the

county treasurer, the county auditor, and the clerk of each board of school trustees of such apportionment in detail;

5. The county treasurer of every county, before notifying the superintendent of public instruction of the county school fund to be apportioned in the July apportionment for the year 1915, shall set aside an amount equal to one-half of one per cent of salaries paid to employees of each and every school district of the county during the two years beginning July 1, 1913, and ending June 30, 1915, and this fund shall be known as the "School Insurance Fund"; School insurance fund

6. In January, 1916, and semiannually thereafter, the county treasurer of every county shall, in like manner, set aside an amount equal to one-half of one per cent of salaries paid to employees of each and every school district of the county during the preceding six months, and credit the same to the school insurance fund; County treasurer to set aside ½ of 1% of salaries to insurance fund

7. The amounts certified to the superintendent of public instruction for apportionment shall not include the school insurance fund so set aside;

8. The county auditor shall, during the month of July, 1915, and semiannually thereafter, draw his warrant in favor of the Nevada industrial commission for an amount equal to that named in the aforesaid order to be paid out of the school insurance fund. Auditor to draw warrant for industrial commission

CHAP. 255—*An Act to amend section one of an act entitled "An act to require district attorneys to make certain reports to the attorney-general," approved March 1, 1889.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of said act is hereby amended so as to read as follows:

Section 1. On the fourth Monday of March and August of each year the several district attorneys, or other persons charged by law with the prosecution of criminals, shall make a report in writing to the attorney-general containing a concise statement of the facts of each case prosecuted by them since the last report herein required in which a conviction was had. Upon receipt of such statement the attorney-general shall file the same in his office, and shall not permit the same to be taken therefrom except at the request of the board of pardons, or a member thereof. Such statement shall be considered by the board of pardons as *prima facie* evidence of the matter therein contained. District attorney to report convictions semiannually to attorney-general

CHAP. 256—*An Act to amend section 16 of an act entitled “An act providing for the protection and preservation of game, and repealing all acts and parts of acts in conflict therewith,” approved March 24, 1909.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 16 of said act is hereby amended so as to read as follows:

Beaver  
protected  
until 1920

Section 16. It shall be unlawful for any person or persons, firm, company, corporation, or association to catch, kill, destroy, trap, net, weir, or cage any beaver in this state on or before the first day of January, 1920.

CHAP. 257—*An Act concerning Lincoln County officers, and fixing their salaries.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Segregating  
certain  
Lincoln  
County  
offices

SECTION 1. On and after the fifth day of January, 1917, the offices of sheriff and assessor of Lincoln County shall be segregated.

SEC. 2. On and after the fifth day of January, 1917, the offices of clerk and treasurer of Lincoln County shall be segregated.

Salaries

SEC. 3. On and after the fifth day of January, 1917, the salaries of the following officers of Lincoln County shall be as follows:

Commis-  
sioners

The county commissioners shall each receive the sum of three hundred dollars per annum, and, in addition thereto, mileage at the rate of ten cents per mile necessarily traveled in attending regularly convened meetings of the board.

Sheriff

The sheriff shall receive the sum of eighteen hundred dollars per annum.

Assessor

The assessor shall receive the sum of twelve hundred dollars per annum.

Treasurer

The treasurer shall receive the sum of eighteen hundred dollars per annum.

Clerk

The clerk shall receive the sum of twelve hundred dollars per annum.

Recorder

The recorder and ex officio auditor shall receive the sum of fifteen hundred dollars per annum.

District  
attorney

The district attorney, who shall be ex officio public administrator, shall receive the sum of eighteen hundred dollars per annum.



SEC. 4. The salaries of all the officers of Lincoln County, and the mileage of the commissioners shall be allowed, audited, and paid monthly.

Paid  
monthly

SEC. 5. The sheriff of Lincoln County is hereby authorized and empowered to appoint a deputy or deputies, with the approval of the board of county commissioners, at a salary not to exceed one hundred dollars per month each, to be allowed and paid in the same manner and from the same funds as the salaries of other officers are paid.

Deputy  
sheriff

SEC. 6. The salaries hereinbefore provided shall be payment in full for all services and ex officio services performed by the respective officers mentioned, and the county commissioners will have no authority to allow bills for deputies or assistants to any officer with the exception of the sheriff; *provided*, that the sheriff, the assessor, and the district attorney may be allowed traveling expenses not in excess of five dollars per day, if away from the county-seat in the actual performance of their respective duties; *provided further, however*, that the assessor shall not be allowed to exceed \$300 per year for traveling expenses for assessing the county.

Salaries full  
compensa-  
tion; no  
salaries for  
any deputies  
except  
deputy  
sheriffs

Traveling  
expenses

Limitation

SEC. 7. This act shall be in full force and effect on and after the fifth day of January, 1917, and all parts of acts in conflict herewith shall then be repealed.

In effect  
Jan. 5, 1917

CHAP. 258—*An Act to make an appropriation for the reconstruction of the third floor of the main building of the Nevada hospital for mental diseases, and the rebuilding of the irrigation flume.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of twenty thousand dollars (\$20,000) is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to be expended under the direction of the board of commissioners of the Nevada hospital for mental diseases, to be used for the reconstruction of the third floor of the main building of said Nevada hospital for mental diseases, and the rebuilding of the irrigation flume belonging to said hospital.

\$20,000 for  
reconstruct-  
ing third  
floor of  
hospital,  
and flume

CHAP. 259—*An Act to amend section eight of an act entitled "An act to facilitate the giving of bonds and undertakings in certain cases and prescribing conditions upon which surety companies may become liable thereon in this state; fixing penalties for the violation thereof, repealing conflicting acts, and other matters relating thereto," approved March 26, 1909.*

[Approved March 25, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 8 of the above-entitled act is hereby amended so as to read as follows:

Surety bond  
illegal unless  
company  
has qualified  
in state

Section 8. No court or officer having authority so to do shall approve any surety bond or undertaking given by any surety company as surety thereon, unless the person offering the same or some one in his behalf, shall exhibit the certificate of the secretary of state showing that such company has duly qualified under this act to become such surety, which certificate shall have been issued during the current calendar year.

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CHAP. 260—*An Act to amend sections twelve, thirteen, sixteen, and seventeen of an act entitled "An act for the government and maintenance of the state orphans' home," approved March 1, 1873, as amended March 3, 1887, as amended March 9, 1903, as amended March 25, 1913.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section twelve of the above-entitled act, as amended, is hereby amended so as to read as follows:

Orphans'  
home to  
receive  
dependent  
and  
neglected  
children  
same as  
orphans

Section 12. Nothing in this act shall be construed to prevent the board of directors, at their discretion, from receiving any child or children from its living resident parent, parents, guardian, or guardians, when committed to the state orphans' home as hereinafter provided; *provided, however*, that the state orphans' home is hereby organized as a home for dependent and neglected children in addition to the other purposes for which the institution is established; and the board of directors are authorized and required to receive such dependent and neglected children, or any other children, as may be committed to the care of said institution by any district court of the state.

SEC. 2. Section thirteen of the above-entitled act, as amended, is hereby amended so as to read as follows:

Such chil-  
dren full  
wards of  
state

Section 13. Children admitted to the state orphans' home under the provisions of section twelve of this act, as amended, are hereby declared and adjudged to be wards of the state as fully as whole orphans; *provided*, that no child shall be received

by the board of directors unless committed by the district court of the county in which such child resides; *provided further*, that if the district judge is absent from the county, or from any cause is unable to act when an application is made for the commitment of any dependent, neglected, or any other child to said orphans' home, the county commissioners are hereby authorized to commit such child to said orphans' home; but any such commitment by any board of county commissioners is subject to review by the district court of the county from which such child was committed; *provided further*, that the expenses, transportation, and maintenance of such children, when committed to this institution by any district court or board of county commissioners of the state, shall become a charge against the county from which such children are committed, such charge for maintenance to be a reasonable rate to be fixed from time to time by the board of directors of said orphans' home; *provided*, that the district attorney, in his discretion, may order the parent, parents, guardian or guardians to reimburse the said county for the amount of the maintenance of such child or children in said orphans' home as fixed by the board of directors thereof; *and provided further*, that no child who is idiotic or who has any contagious disease shall be committed or received by the board of directors of said institution, but all children must be subjected to a mental and physical examination under the direction of said board of directors.

Commis-  
sioners may  
commit,  
when

County to  
pay expenses  
and keep of  
certain chil-  
dren

Idiotic and  
diseased  
children  
excluded

SEC. 3. Section sixteen of the above-entitled act, as amended, is hereby amended so as to read as follows:

Section 16. The board of directors, upon the receipt of said estimate, may, at their discretion, give notice by advertising in one daily paper in Ormsby County for six days that sealed proposals will be received for furnishing to the state orphans' home all or any part of the quality and kind of stores, supplies, and fuel contained in the semiannual estimate then on file in the office of the secretary of the board of directors of said orphans' home.

Directors to  
advertise for  
supplies

SEC. 4. Section seventeen of the above-entitled act is hereby amended so as to read as follows:

Section 17. The board of directors are hereby directed to meet at the office of the secretary, when bids have been called for, and then and there open all the sealed proposals. The lowest sealed proposals in price shall be accepted and noted in the minutes of the secretary, and the secretary shall notify the person or persons of the acceptance of their proposal for furnishing the state orphans' home with stores, supplies, and fuel; *provided*, the board of directors shall have the right to reject any and all bids from persons not responsible.

Bids opened  
and  
awarded

Proviso

SEC. 5. This act shall take effect from and after its approval. In effect

CHAP. 261—*An Act amendatory of and supplemental to an act entitled "An act authorizing owners of land to lay out and plat such lands into lots, streets, alleys, and public places, and providing for the approval and filing of maps or plats thereof," approved March 13, 1905.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

New section  
added to act  
concerning  
town plats

SECTION 1. An act entitled "An act authorizing owners of land to lay out and plat such lands into lots, streets, alleys, and public places, and providing for the approval and filing of maps or plats thereof," approved March 13, 1905 (sections 955 to 966, inclusive, Revised Laws of Nevada, 1912), is hereby amended by the addition of a new section to follow section ten of said act, and to read as follows:

Certain  
unoccupied  
portion may  
be vacated

Section 10a. *Vacating Unoccupied Portion of Plat—Procedure.* Where a portion of any plat has for five years remained unoccupied, and the streets and alleys thereof are not necessary to the use and convenience of the residents of the occupied portions of such plats, and where such unoccupied portion is bounded on at least one side by a boundary of such plat, application in writing to vacate such unoccupied portion, setting forth such facts, may be made to the city council of the city wherein such land is situated and in all other cases to the board of county commissioners of the county wherein said land is contained, which petition shall be signed by all the owners of land in the portion of such plat proposed to be vacated. Copy of such petition shall be published in some newspaper of general circulation published in such town or city, and if none be published therein, then in some newspaper published nearest in the county, for at least once a week for four consecutive weeks which said publication shall be deemed due and sufficient notice to all parties in interest of nature and purpose of such petition. Upon the filing of such application and proof of publication, the city council or board of county commissioners, as the case may be, shall, at its next regular meeting proceed to hear, consider and dispose of the same as provided in section 10 of this act; *provided*, that any person claiming material injury by any order vacating any portion of a plat under the provisions of this section may at any time within six months after the date of such order commence an action in the district court to have such order set aside.

Method of  
procedure

Proviso

**CHAP. 262—An Act fixing the salary of the county recorder of Elko County, Nevada, and providing for a deputy county recorder, and fixing said deputy's salary.**

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. From and after the passage of this act, the county recorder of Elko County, Nevada, and as ex officio auditor, shall receive the sum of two thousand (\$2,000) dollars per annum; he shall pay into the county treasury each month all moneys collected by him as fees. The county recorder, and as ex officio auditor, may appoint one deputy, who shall receive a salary of \$1,500 per annum, provided the county commissioners may allow or disallow additional deputies when they may deem the same necessary. Salary of recorder of Elko County

SEC. 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

**CHAP. 263—An Act fixing the compensation of the deputy county recorder of the county of Humboldt.**

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. From and after the first day of April, 1915, the deputy county recorder of the county of Humboldt, shall receive the sum of fifteen hundred (\$1,500) dollars annually, as full compensation for all official services rendered said county by said deputy county recorder. And said sum of fifteen hundred (\$1,500) dollars shall be allowed and paid said deputy county recorder in the same manner as the salaries of other county officers are now allowed and paid. Salary of deputy county recorder of Humboldt

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

**CHAP. 264—An Act for the relief of Nevada industrial commission.**

[Approved March 26, 1915]

WHEREAS, An act known as the "Nevada Industrial Insurance Act," approved March 15, 1913, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and providing further as follows: "Article B. Section 1. Where the state, county, municipal corporation, school district, cities under special charter or commission form of government, is To pay premiums on salaries of state officers for 1913-1914

the employer, the limitations of two employees shall not apply, and as to such employees and employers thereof the rights and remedies, as by this act provided, to pay compensation for personal injury sustained by such employees arising out of, and in the course of the employment shall be exclusive, compulsory, and obligatory"; and

WHEREAS, Payment was not made of premiums on salaries of employees of the various departments of the state government: therefore

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

\$2,475.94  
appropriated  
for Nevada  
industrial  
commission

SECTION 1. The sum of two thousand four hundred and seventy-five dollars and ninety-four cents (\$2,475.94) is hereby appropriated, out of any moneys in the general fund of the state for the payment of deficiencies in the appropriation for the years 1913 and 1914 as follows: Amounts due the Nevada industrial commission as premiums on salaries of state employees from July 1, 1913, to January 1, 1915: Governor's office, \$19.80; secretary of state, \$68.40; state treasurer, \$19.80; state controller, \$19.80; attorney-general, \$19.80; surveyor-general, \$41.40; department Carey act land, \$0.53; justices supreme court, \$32.40; clerk supreme court, \$10.80; state bank examiner, \$10.80; state board of health, \$10.80; state mine inspector, \$63; state engineer, \$149.19; bureau of industry, \$19.80; board of capitol commissioners, \$58.72; state prison, \$605.25; Nevada state police, \$205.11; state orphans' home, \$99.52; Nevada public service commission, \$24.39; Nevada railroad commission, \$73.75; superintendent of public instruction, \$9; deputy superintendents of public instruction, \$54; state printing office, \$175.19; Nevada hospital for mental diseases, \$489.95; Nevada tax commission, \$65.23; Virginia City mining school, \$10.80; Nevada fish commission, \$38.81; Elko County dry farm, \$41.04; state experiment farm, Clark County, \$38.86; total, \$2,475.94.

Duties of  
controller  
and  
treasurer

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the Nevada industrial commission for the amount specified in this act, and the state treasurer is directed to pay the same.

CHAP. 265—*An Act to authorize any board of county commissioners to pass ordinances relating to certain animals running at large, making the violation thereof a misdemeanor, and fixing the punishment.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. It shall be the duty of the board of county commissioners of any county in this state, when petitioned by 25



per cent of the taxpayers of any town or voting precinct, not maintaining a separate and independent local government, to pass an ordinance to prevent the running at large of any horse, mule, ass, kine, hog, sheep, or goat in said town or precinct; and providing in said ordinance for the impounding of the said animals as estrays and the payment of certain fees and costs before the release of such animals.

Commissioners may make ordinance preventing running at large of animals in unincorporated towns

SEC. 2. When said ordinance is properly drawn and signed by the chairman of the board of county commissioners it shall be published in some newspaper of general circulation published in said town or precinct, and if there be none, then in some newspaper published in the county for a period of at least ten days before going into effect. The cost of publication to be paid by the county out of the general fund of the county the same as other bills.

Ordinance shall be published

SEC. 3. A violation of any such ordinance shall be a misdemeanor, and punished by a fine of not less than \$5 nor more than \$100, or imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment.

Penalty

SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 266—*An Act to amend "An act to prevent the unlawful destruction of fish and game; to provide for the appointment of fish and game wardens of the several counties of this state, and to define their duties and compensation," approved March 12, 1901, being section 2052 of the Revised Laws, 1912.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The several boards of county commissioners in this state, at their first regular meeting in April, 1915, and annually thereafter, upon the petition of twenty or more resident taxpayers, may appoint a fish and game warden for their respective counties, who shall reside in the county for which he is appointed. Each warden so appointed, before entering upon the duties of his office, shall take his oath of office and give an undertaking to the State of Nevada, for the use of the respective counties thereof, with two or more sureties, to be approved by the board of county commissioners, conditioned for the faithful performance of his duties, and in such sum as the county commissioners of the several counties may deem sufficient for the faithful performance of the duties of his office and the enforcement of the requirements of this act.

County fish and game warden may be appointed on petition of 20 taxpayers

CHAP. 267—*An Act for the relief of the Remington Typewriter company, a corporation, doing business at San Francisco, California.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Relief of Remington Typewriter company

SECTION 1. The sum of \$739.81 is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to pay to the Remington Typewriter company, a corporation, doing business and located in San Francisco, California, for supplying typewriters to the various state officers in the employ of the government of the State of Nevada.

Appropriation, \$739.81

SEC. 2. Upon the passage of this bill, the controller is hereby authorized and directed to draw his warrant on the state treasury of Nevada in the sum of \$739.81 in favor of the said Remington Typewriter company, and the state treasurer is hereby authorized and directed to pay said warrant upon its presentation.

CHAP. 268—*An Act relating to cattle, horses, and hogs, and regulating such stock, creating a state board of stock commissioners, defining their duties, and matters properly relating thereto.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

State board of stock commissioners created

SECTION 1. The state board of stock commissioners is hereby created.

Composition of said board

SEC. 2. The state board of stock commissioners, hereinafter called the board, shall consist of three (3) members, all of whom shall be experienced stockmen, no two of whom shall be from the same county, said members to be appointed by the governor, and to hold office for four years, and until their successors are duly appointed and qualified. Each of said commissioners, before entering upon the duties of his office, shall take and subscribe to the constitutional oath of office and enter into a bond with at least two sureties in the penal sum of twenty-five hundred dollars (\$2,500), payable to the State of Nevada, and conditioned for the faithful performance of the duties of his office, which bond shall be approved by the governor, and filed in the office of secretary of state. The members of the board shall each receive for their services three

Oath and bond

Salary, \$300 per year

hundred dollars (\$300) per annum and actual transportation expenses while in discharge of their duties. Said salary and expenses shall be paid from the state treasury. Each member of said board shall be a qualified elector of the county from which he is chosen, and must reside during his term of office within the state. Said board must hold their meetings quarterly, and oftener if so requested by any member of the board.

Quarterly meetings

SEC. 3. The board shall elect one of its members president, and is empowered to make rules and regulations for governing itself, and for the enforcement of the provisions of this act, and shall have control of all matters pertaining to the cattle, horse, and hog industry. It shall, in conjunction with the state veterinary control service department of the University of Nevada, adopt on behalf of the state rules and regulations of the United States bureau of animal industry, relating to the control and suppression of disease in said stock, and to cooperate with the officers of said bureau in the enforcement of such rules and regulations. The board is authorized to give the inspectors of the bureau of animal industry full authority and power for the inspection, quarantine and condemnation of cattle, horses and hogs affected with any infectious or contagious disease, and for these purposes is granted all the authority of the present inspectors of the state, and is authorized and empowered to enter upon any ground or premises of this state for the purpose of enforcing the inspection, quarantine and condemnation laws of this state. The board is authorized to give the state quarantine officer, or his representatives or his agents, duly approved by the board, full authority and power for the inspection, quarantine and condemnation of cattle, horses and hogs affected with any infectious or contagious disease, and is authorized and empowered to enter upon any ground or premises of this state for the purpose of enforcing the inspection, quarantine, and condemnation laws of this state. The board shall maintain an office at some point within this state, to be determined by the board. The maintenance of such office shall be paid from the state treasury, in the same manner as the salaries and expenses of state officers. The board shall fix the rate of tax to be levied, as provided for in section four of this act, and shall send notice of the same to the county commissioners of the several counties of the state on or before the first day of August of each year. The board shall audit all bills of salaries and expenses incurred in the enforcement of this act that may be payable from the stock inspection fund, and, if found correct, shall certify the same to the state controller, who shall draw a warrant on the state treasurer in favor of the parties entitled thereto. The board shall make an annual report in writing to the governor on or before the thirtieth day of November in each year, giving a statement of the transactions of the board, and facts relating to the condition of the stock industry in this state. The board shall have power to order the state quarantine officer to have inspected or quarantined any stock in the state, compel treatment at such times and as often as he deems necessary to insure the suppression of disease, and the board shall divide the state into such districts as may be necessary for the enforcement of this act. The state quarantine officer shall, upon direction of the board, quarantine and compel the cleaning and disinfection of any corrals or place where stock is

Officers:  
rules and  
regulations

Duties of  
board

Cooperation  
with U. S. as  
to quaran-  
tine, etc.

State  
quarantine  
officer

Office for  
board

Stock inspec-  
tion fund

Annual  
report

State quar-  
antine officer  
to inspect  
stock on  
order of  
board

Orders, etc.,  
published in  
newspaper

handled, and when owners or persons in charge of such corrals fail or refuse to clean and disinfect such places or corrals, the board shall have power to clean and disinfect them, the expense of which shall be paid by the owner or person in charge, and shall be a lien on such place or corral until the expense is paid. All orders, rules, or regulations made as herein provided must be published at least twice in some newspaper having general circulation in each county in the state, which shall constitute a legal notice of the order made upon all stockmen owning or having in charge cattle, horses, or hogs.

Tax (6 mills)  
on all stock  
for stock  
inspection  
fund

SEC. 4. The board of county commissioners, at the time of the annual levy of taxes, must, at the request of the board, levy the rate of tax recommended by the board, not to exceed six (6) mills on the dollar, on all cattle, horses, and hogs assessed in their respective counties, according to the assessed valuation of the same, the said tax to be collected as other taxes, and paid to the state treasurer, who must keep the same in a separate fund to be known as the stock inspection fund.

Duties of  
county  
officers

SEC. 5. The county assessor must, on or before the first Monday in September of each year, prepare from the assessment book of such year, as corrected by the board of county commissioners, a statement showing the total number of all said stock assessed, and the value of same. And the county treasurer must notify the state board of stock commissioners of all moneys forwarded to the state treasury belonging to the state stock inspection fund at the time said moneys are forwarded to the state treasury. Also make final report to said board at the time he makes settlement with the state controller.

Board to  
enforce act

Stock inspec-  
tors; bonds

Inspection  
record

Inspectors  
have powers  
of peace  
officers

SEC. 6. The board shall have charge of the enforcement of the provisions of this act, and of the rules and regulations made as herein provided. The board shall appoint such inspectors as may be necessary, and said inspectors, before entering upon the duties of their office, shall file a bond in the sum of one thousand dollars (\$1,000), payable to the state, for the faithful performance of their duties, with and to be approved by the board. Such inspectors shall be paid from the stock inspection fund. The board and each inspector must keep a book, to be known as the inspection record, in which they must enter their official acts. Such record must show the name of the owner of all horses, cattle, and hogs inspected, and the time when and place where the same were inspected. Inspectors shall have the right at all times to enter any premises, farms, fields, pens, slaughter-houses, buildings, or cars, where any of said stock are quartered, for the purpose of examining them, in order to determine whether they are affected with any infectious or contagious disease. All inspectors and their deputies shall have the same powers and authority of peace officers. The board shall have the power to order an inspector to quarantine any corral, pens, slaughter-houses, buildings and cars where stock may have been handled, and compel the cleaning and disinfecting of the same when deemed

necessary for the purposes of this act. Where owners or persons in charge of such places refuse to clean and disinfect them, the inspector shall have the right to take charge of such places, and cause the same to be cleaned and disinfected, the expense of which must be paid by the owner or person in charge, and shall be a lien upon such premises, corrals, pens, slaughter-houses, buildings, cars, etc., until such expense is paid.

SEC. 6A. The board is authorized and empowered to offer and pay bounties out of its funds for the killing and destruction of the following-named animals, killed in the State of Nevada, to wit: For each coyote or coyote pup, seventy-five (75c) cents, for each wildcat or lynx, seventy-five (75c) cents, and for each mountain lion, five (\$5) dollars. Any person killing any of the aforesaid animals in order to obtain the bounty provided for herein, shall within ninety (90) days of the date of the killing, present or cause to be presented by his duly authorized agent, to the county clerk of the county in which said animal or animals have been killed, the entire skin of each of said animal or animals, which skin includes and must have attached thereto all four of the paws, or feet, the tail and the skin of the head, eye-holes and skin to tip of nose; and shall at the same time make and file with the said county clerk an affidavit, which said affidavit shall state: First, the kind of animal or animals from which said skin or skins were taken and the number of skins presented; second, that the county in which said animal or animals were killed is the county in which their skins are presented for payment of a bounty; third, that said animal or animals from which said skins were taken were not bought or received dead or alive, from any other county or state; fourth, that said animals were killed within ninety (90) days from the date of making of said affidavit; fifth, that said animal or animals were killed in such county and in the State of Nevada; and, sixth, that the same were not fostered or whelped in captivity prior to the killing thereof. The said county clerk may, if he deems it advisable, require of such applicant for bounty such other corroborative testimony as to him seems proper concerning the truth set forth in such affidavit; *provided*, that when in doubt as to the kind of skin or skins presented, the order shall be issued for the lesser bounty. The county clerk shall cut off the four (4) paws or feet at the knee and destroy them. The said county clerk shall then certify to the said board that he received the said hides, that the required affidavit or affidavits have been made, and that he has destroyed the fore feet, in conformity with law, and also certify the name of the animals killed, the number, where killed and by whom and the bounty due. The board shall forthwith remit the bounty due to the party presenting the same and at the same time notify the said county clerk of the forwarding of said bounty so paid.

Bounties for killing certain animals named; paid by stock commission from its funds

Regulations as to pelts of noxious animals

Lesser bounty paid in case of doubt

Inspectors must report

SEC. 7. Inspectors shall report to the board in writing as often and at such times as may be requested by said board.



**Bill of health by inspector, when**

**"Stock" defined**

SEC. 8. Each inspector must inspect all the horses, cattle, and hogs, within the district assigned to him, when so ordered by the board, and must make and issue certificate or bill of health for all of said stock whose owners have complied with the law and the orders, rules, and regulations made and adopted by the board, describing the stock with the marks and brands thereon, which shall entitle the owner or agent in charge to pass with such stock from one district to another in the state. The inspector shall immediately file with the board a duplicate of all certificates issued by him. The term "stock" shall include horses, cattle, and hogs.

**Board may be notified of disease in stock**

SEC. 9. Whenever any stock shall become infected with any infectious or contagious disease, the owner or agent in charge, the inspector appointed as herein provided, or any practicing veterinary, must immediately notify the board and the state quarantine officer.

**Quarantine regulations must be promptly made**

**Expense of treatment paid by owner**

SEC. 10. When stock is found diseased, regulation for their quarantine must be made at once by the state quarantine officer, upon notification by the inspector of the district where such stock is found, who must define the place and limits within which such stock may be grazed, herded, or driven, and such stock must be held in quarantine until pronounced cured from disease by the state quarantine officer. The expense of treating, feeding, and taking care of all stock quarantined under the provisions of this act must be paid for by the owner or agent in charge of such stock; and such expense shall be a lien upon such stock until paid.

**Stock vaccinated on order of board**

SEC. 11. All stock must be vaccinated when necessary at such time as may be ordered by the board. Any person, firm, company or corporation refusing to comply with and observe the provisions of this act or the orders, rules and regulations of said stock board shall be guilty of a misdemeanor, and liable to the fines and punishment hereinafter provided.

**Entry of foreign stock into state; board must be notified**

**Exception**

SEC. 12. When any owner or person in charge of stock shall bring such stock into this state, before entering from an adjoining state or territory, for the purpose of grazing, or feeding, they shall notify the board and state quarantine officer, in writing, of such fact immediately before entering the state, stating the time when and the place where such stock shall enter; *provided, however*, that stock in transit on the cars shall not be required to give notice unless they shall remain in the state, or are unloading to feed and rest for a longer period than forty-eight hours.

**Infected stock not to be moved**

SEC. 13. In no case shall any stock suffering from contagious or infectious diseases be removed from one point to another within any district, or from one district to another without a written permit from the board and state quarantine officer.

**Secretary of board; salary**

SEC. 14. The said board shall appoint a secretary, prescribe his duties, and fix his salary at a sum not to exceed eight hundred (\$800) dollars the year, payable as the salaries of other



state officers are paid. Said secretary to hold his position during the pleasure of the board.

SEC. 15. Whenever any inspector files in the office of the state controller proper vouchers, duly approved by the board setting forth:

Inspectors,  
how paid

1. The name of such inspector;
2. The kind and nature of service rendered;
3. The particular locality where the work was done;
4. The length of time employed;
5. The number of stock inspected and the name of the owner or person in charge of such stock;
6. The disease or diseases treated, and the number treated for each disease, and the length of time of such treatment;
7. The amount claimed for such services;

Then and in such case, the state controller must draw a warrant in favor of such inspector, payable out of the moneys in the stock inspection fund.

SEC. 16. That the sum of ten thousand dollars is hereby appropriated, out of any moneys not otherwise appropriated, from the general fund, for the purpose of carrying this act into effect. All moneys so appropriated to be returned into the general fund from such taxes as may be levied upon the stock as herein provided.

\$10,000 appro-  
priated; to  
be repaid

SEC. 17. Any person who violates any provision of this act, or who disregards any order or direction made by the board or inspectors in accordance therewith, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding three hundred dollars (\$300), or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Penalty for  
violation of  
act

SEC. 18. The state board of stock commissioners shall act in conjunction with the state veterinary control service of the University of Nevada in the general enforcement of rules and regulations looking to the diagnosis, control, eradication, and prevention of infectious, contagious or communicable diseases of domesticated animals, as included in this act. In so far as the duty imposed by the board of stock commissioners requires a regulation of interstate and intrastate movement of domesticated animals infected with, or which have been exposed to, infectious, contagious, or communicable diseases, the board shall act in conjunction with the state veterinary control service department of the University of Nevada; and the laboratory of the said state veterinary control service department of the University of Nevada shall be at the service of the said state board of stock commissioners, to render such scientific assistance as it can, in order to accomplish the purposes contemplated in this act. Whenever any of the employees in the department of the state veterinary control service of the University of Nevada are employed upon duty required of them by the said state board of stock commissioners, they shall be paid, from the stock inspection fund, for their services, pro rata as to the time which

Board to  
cooperate  
with state  
veterinary  
control  
service of  
university

University  
employees  
paid from  
stock fund

has been spent in this service, and at a rate which shall compensate them on the same basis of salary or wages paid to them regularly by the board of regents of the University of Nevada.

Board may  
summon  
witnesses,  
employ  
counsel, etc.

SEC. 19. The board may take all necessary and lawful steps, procure all necessary and lawful process for the attendance of witnesses, and employ counsel to assist in the prosecution of any person guilty of any offense against the laws of this state in feloniously branding or stealing any stock, or any other crime, or misdemeanor, under any of the laws of the state for the protection of the rights and interests of stock owners, and it is the duty of the board to make rules and regulations governing the recording and use of livestock brands.

State board  
to appoint  
inspectors  
and detec-  
tives

SEC. 20. The state board of stock commissioners may appoint such stock inspectors and detectives as are necessary for the protection of the livestock interests of the state, and the inspectors and detectives have the same power as sheriffs to summon a posse when necessary, and to make arrests. The stock inspectors and detectives may, when deputized by the sheriff, exercise the powers of deputy sheriff, but must not receive any fee or emolument therefor from the state or any county.

Duties of  
stock  
inspectors  
and  
detectives

SEC. 21. It is the duty of the stock inspectors and detectives to arrest all persons who in their presence violate the stock laws of the state, and every stock inspector and detective, upon information that any person has committed any offense against the laws of the state in feloniously branding or stealing any stock or any offense against the laws of the state, for the protection of the rights and interests of stock owners, must make the necessary affidavit for the arrest and examination of such person, and, upon warrant issued therefor, immediately arrest such person, and bring him before the proper officer, and notify the board of his acts. Said inspectors shall also inspect all stock or cattle about to be shipped from the state, and the consignor, upon demand, shall establish fully his title to such stock.

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CHAP. 269—*An Act to amend section 139 of "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 139 of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911, is hereby amended to read as follows:

Section 139. The board of county commissioners of each

County shall, annually, at the time of levying other county taxes, levy a county school tax, not to exceed fifty cents on each one hundred dollars valuation of taxable property, which tax shall be added to the county tax and collected in the same manner, and paid into the county treasury as a special deposit, to be drawn in the same manner, as other public-school moneys; and should said county commissioners fail or neglect to levy said tax as required it shall be the duty of the county auditor to add such tax as the superintendent of public instruction may deem sufficient, not exceeding fifty cents on each one hundred dollars valuation of taxable property in the county, to the assessment roll, to be collected as specified in this section.

County commissioners must levy county school tax

Auditor to add tax, when

CHAP. 270—*An Act to amend section nineteen of an act entitled "An Act to incorporate the town of Sparks, in Washoe County, and defining the boundaries thereof, and to authorize the establishing the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto."*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section nineteen of the act entitled "An act to incorporate the town of Sparks, in Washoe County; and defining the boundaries thereof," approved March 15, 1905, is hereby amended to read as follows:

Amending charter of town of Sparks

Section 19. The city council shall have power:

First—To fix the place of its meetings and the time for calling same to order, and to judge of the qualifications and election of its own members.

Powers and duties of city council of Sparks

Second—To make and pass all ordinances, resolutions, and orders not repugnant to the constitution of the United States or the State of Nevada, or to the provisions of this charter, necessary for the municipal government and the management of the city affairs, for the execution of all the powers vested in said city, and for making effective the provisions of this charter.

Third—To levy and collect, annually, a tax of not to exceed one per cent upon the assessed value of all real and personal property within the city, and which is by law taxable for state and county purposes.

Fourth—To sell, lease, control, improve, and take care of the real estate and personal property of the city; *provided*, said council shall not have power to mortgage, hypothecate, or pledge any property of the city for any purpose.

Fifth—To lay out and extend, change the grade, open, vacate, and alter the streets and alleys within the city, and

**Powers and  
duties of  
city council  
of Sparks**

may order, require, and provide for macadamizing, oiling, curbing, graveling, grading and regrading, paving, draining, cleaning, repairing, lighting, surfacing, and widening of any highway, street, or alley, or in any way improving such highway, street, or alley; also to provide for the improvement and preservation of the city parks, and the construction, repair, and preservation of all sidewalks, crossings, bridges, drains, curbs, gutters, and sewers; to prevent and remove any nuisance or obstruction or unlawful or unauthorized use of any street, alley, or sidewalk, crossing, bridge, drain, gutter, or sewer in the said city, and to provide for the numbering of the houses therein.

Whenever the city council shall determine to make any public construction, improvement, or repairs in the laying of pavements, sidewalks, courts, parks, ditches, drains, sewers, or rights of way, or any portions thereof, and defray the whole or any part of the expense thereof by special assessment upon the lands and premises fronting on or benefited by such improvement, the city council shall first pass a resolution of intention so to do, referring to the street by its official name, or the name by which it is commonly known, and briefly describing the work or improvements proposed. Said resolution of intention shall be published twice in some daily, semiweekly, or weekly newspaper published and circulated in the city and designated by said council for that purpose.

The city council may include in one proceeding, under one resolution of intention, and in one contract, any of the different kinds of work mentioned in this act, and any number of streets and rights of way or portions thereof, and it may except therefrom any of the said work already done upon a street to be the official grade. The lots and portions of lots fronting upon said excepted work already done shall not be included in the frontage assessment for the class of work from which the exception is made.

Within one day after the adoption of the resolution of intention the city clerk shall cause to be posted along the line of the contemplated work or improvement at least three notices headed "Notice of Improvement," in letters of not less than one inch in length; the said notices shall state the fact of the passage of the resolution of intention, its date, and briefly describe the work or improvement proposed, and refer to the resolution of intention for further particulars, and record and proof of such posting shall be made a part of the record of the proceedings.

At any time within ten days from the date of the second publication of the resolution of intention any owner of or person having any interest in property liable to be assessed for said work or improvement may make written protest against the proposed work or improvement being done. Such protest must be in writing and delivered to the city clerk, who shall immediately mark the date of the filing thereon.

At the next regular meeting of the council after the expiration of the time within which any such protest or protests may be made, the city council shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive; *provided, however*, should protests be made by a majority of the property owners along the line of the proposed work or improvement such majority protest or protests shall be deemed to work a recession of the resolution of intention, and the city council will proceed no further in said proceedings. The council may adjourn the hearing from time to time.

Powers and  
duties of  
city council  
of Sparks

When no protests have been delivered within the time allowed by the notices above provided, or when a protest or protests filed have been found to be insufficient, overruled, or denied by the city council, immediately thereupon the city council shall be deemed to have acquired jurisdiction to order the proposed work or improvement.

Before passing any resolution for the construction of any work or improvement provided for in this act, plans and specifications and careful estimates of the costs and expenses thereof shall be furnished, and the council is authorized to employ a competent engineer for such purposes.

Before awarding any contract by the city council for doing any work or improvement authorized by this act the council shall pass a resolution ordering the work or improvement to be made.

Notice shall be posted for five days at or near the council chamber door inviting sealed bids for the doing of said work, which notice shall also be published at least twice in some newspaper published and circulated within said city.

Such notices shall fix a day for the opening of bids, which shall not be less than ten days from the first publication of the notices calling for bids, and refer to specifications filed with the city clerk.

Each bid shall, on or before the day fixed for opening bids, be filed with the city clerk and shall be accompanied by a check payable to the city, certified by a responsible bank, for an amount not less than ten per cent of the aggregate of the bid, as security that the successful bidder will enter into the contract to perform the work, and in the event of his failure or neglect to enter into such contract such check shall be forfeited to the city.

The city council may reject any and all proposals or bids, should it deem this for the public good, and may readvertise, at any time within six months from the date of the resolution of intention, for further bids, as in the first instance, without further proceedings, and thereafter proceed in the manner herein provided.

Within ten days after notice of the award the bidder whose bid is accepted must enter into a contract, and if he neglects or fails to do so the city council may, in these proceedings, again advertise for bids as in the first instance.

Powers and  
duties of  
city council  
of Sparks

Every contractor to whom is awarded any contract under the provisions of this act shall, before the execution of the contract, tender to the mayor a good and sufficient bond for his approval, in a sum of not less than one-half of the total amount of the contract, and conditioned for the faithful performance of the contract in strict compliance with the terms binding the contractor, which shall be filed in the office of the city clerk. The contract shall be in writing and shall fix the time for the commencement and completion of the work, which work shall be prosecuted with diligence from day to day to completion, which time of completion shall only be extended with the consent of the city council. The work in all cases must be done under the direction and to the satisfaction of the city council, or to the street superintendent or overseer appointed by the council to see that work and the materials used comply with the specifications for the said work, and all contracts entered into under the provisions of this act must contain a provision that in no case will the city or any officer thereof be liable under the contract, nor for any delinquency of persons or property assessed.

Upon the letting of the contract the city council shall cause to be made an assessment to cover the sum of the contract price (including all incidental expenses of these proceedings, including publication and fees of the engineer employed), which assessment shall briefly refer to the contract and the work contracted, and the amount of the contract, together with all incidental expenses, the amount of each assessment, the name of the owner of each lot or portion of a lot fronting on or benefited by the improvement (if known); if unknown, the word "unknown" shall be written opposite the number of the lot.

When the contractor has fulfilled his contract to the satisfaction of the city council, and shall have paid into the city treasury of the city the said incidental expenses of the proceedings, the city clerk shall attach to the said assessment a warrant signed by the mayor and countersigned by the city clerk, with the seal of the city attached.

The said warrant shall be substantially in the following form :  
Form of warrant:

By virtue hereof, I, -----, the mayor of the city of Sparks, county of Washoe, State of Nevada; by virtue of the authority vested in me, do authorize and empower ----- (name of contractor) (his or their) agents or assigns to demand and receive the several assessments against the property therein described, and this shall be his (or their) warrant for the same.

[SEAL]

-----  
Mayor of the City of Sparks.

-----  
City Clerk of the City of Sparks.

Where demand cannot be made personally upon the owner of any of the premises, or his agent, for any cause within the



city or where the owner is unknown, the contractor shall publicly demand payment on the premises assessed.

Powers and  
duties of  
city council  
of Sparks

Whenever payment is made on the assessment against any lot or portion thereof, the contractor shall give the person paying it a written receipt describing the lot and premises, and mark upon the assessment opposite such lot or premises described "Paid" and the date thereof.

Within thirty days after the contractor has received the said assessment, he shall return to the city clerk the said assessment showing each payment of the respective assessments as above provided, which return shall be verified by the contractor or some one in his behalf, and in effect that no payments other than those marked "Paid" upon the assessment have been made.

The city clerk shall record the said return immediately under the following record of assessment, and may receive and receipt for any assessment which shall appear unpaid at any time before suit is brought to recover the same.

The said warrant and assessment shall be recorded in the office of the city clerk in a book kept for recording special assessments of the city of Sparks, and also in the office of the recorder of Washoe County, and there shall be no fee for recording same.

When so recorded the several amounts assessed shall be a lien upon the lots or portion of lots and premises respectively for a period of one year from the date of recording unless sooner discharged; and from and after the date of said recording all persons shall be deemed to have notice of the contents of the record thereof and of the respective liens against said lots and premises.

Immediately after the said recording the city clerk shall deliver to the contractor, his agents or assigns, the original assessment with the warrant attached who shall be authorized to demand and receive the amounts of the several assessments made to cover the sums due for the work specified in such contract and assessment with the said incidental expenses incurred.

At any time within one year after the said return has been recorded, the contractor or his assigns may commence suit against the owner of any lot upon which the assessment has not been paid for the collection of such assessment and the foreclosure of the said lien upon said lot and premises, and where the owner or owners of more than one lot are identical a single action may be brought for the recovery of the assessment irrespective of the number of lots assessed.

The court having jurisdiction in all actions for the foreclosure of the lien of any assessment provided by this act shall, in addition to other costs, allow a reasonable attorney's fee to the plaintiff in such action.

The said assessment and warrant with the affidavit of demand and nonpayment shall be *prima facie* evidence of all the pro-

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ceedings of such assessment and like evidence of the right of the plaintiff to recover in the action.

It shall be lawful for the owner or owners of lots and premises liable to assessment to perform at his or their expense any improvement proposed, by obtaining permission from the city council at any time before the letting of the contract.

Sixth—To organize, regulate, maintain, and disband a fire department; to provide for the extinguishment of fire; to regulate or prohibit the storage of gunpowder or other explosive or combustible or inflammable material within, or transported through, the city, and to prescribe the distance from said city where the same may be stored, held, or kept.

Seventh—To determine by ordinance what shall be deemed nuisances, and to provide for the abatement, prevention, and removal of the same, at the expense of the parties creating, causing, or committing such nuisances, and to provide for the penalty and punishment for the same.

Eighth—To provide for safeguarding the health of the city. For this purpose, the council, with the mayor, who shall be president of the board, shall act as a city board of health, and the council may by ordinance prescribe its duties and powers. The council may elect a secretary of the board of health, who shall be the health officer of the city and have full power as such over all matters pertaining to health and sanitary matters. The board of health may be empowered, among other things, to inspect all meats, poultry, fish, game, bread, butter, cheese, milk, lard, eggs, vegetables, flour, fruits, meal, and all other food products offered for sale in the city, and to have any such products as are unsound, spoiled, unwholesome, or adulterated summarily destroyed.

Said board shall have power to make all needful regulations for the preservation of the health and suppression of disease, and to prevent the introduction of contagious, infectious, or other diseases into the city; to make quarantine laws and regulations, and the city council shall have power to enforce the same by providing adequate penalties for violations thereof.

The council may erect or otherwise acquire a pesthouse, temporarily or permanently, at such distance from the city limits as it shall deem practicable, and the health officer shall have the power to establish temporarily pesthouse or pesthouses in the case of emergency or epidemics.

The council may by ordinance prescribe a salary for the health officer, but such salary, when fixed, shall not be changed so as to increase the same oftener than once every two years, except temporarily during the period of an emergency caused by dangerous epidemic or the like.

Ninth—To fix, impose, and collect a license tax on, and to regulate all trades, callings, professions and business, conducted in whole or in part within the city, including all theaters, theatrical or melodeon performances, and performances of any and every kind for which an admission fee is charged,

or which may be held in any house, place, or inclosure where wines, spirituous, malt, vinous, or intoxicating liquors are sold or given away; circuses, shows, billiard tables, pool tables, bowling alleys, and all exhibitions and amusements; to fix, impose, and collect a license tax on and regulate all taverns, hotels, restaurants, saloons, eating-houses, lunch counters, bar-rooms, lodging-houses accommodating four or more lodgers; bankers, brokers of every and all kinds, manufacturers, livery stables, express companies, telegraph and telephone companies, street-railway companies, operating in whole or in part within said city. To fix, impose, and collect a license tax on and regulate auctioneers and stock-brokers. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress all tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state.

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To fix, impose, and collect a license tax on, regulate, prescribe the locations of or suppress all saloons, barrooms, gambling games, places where intoxicating liquors are sold or given away, street fakirs, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, and phrenologists, pawn shops, pawn brokers, refreshment or coffee stands, booths, and sheds. To prohibit and suppress all dog fights, prize fights, cock fights, bear, bull, or badger baits, sparring and sparring contests and exhibitions.

To fix, impose, and collect a license on, regulate, prohibit, or prescribe the location of gambling and gaming houses, gambling and gaming of all kinds, faro, and all games of chance; houses of ill-fame, hurdy-gurdy houses, bawdy houses, and any and all places where persons resort to for lewd or lascivious purposes, or purposes of lewdness or prostitution, including dance houses having special attractions such as music or otherwise. To fix, impose, and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of every, any, and all kinds, trades and traders, hotels, butcher shops, slaughter-houses, wood and fuel dealers, coal dealers, sewing-machine agents, marble or stone dealers, saddle and harness makers, cigar stores, cigar manufacturers, stationery stores, confectionery stores, newspaper stands, plumbing shops, tin shops when separated from hardware stores, hardware stores, paint, paper, or oil stores, bicycle repair shops, cycleries, warehouses, cold-storage plants, daily, weekly, semiweekly, monthly, and semimonthly newspapers or publications, ice peddlers, insurance companies, fire, life, and accident, and agents or solicitors for the same, shooting galleries, upholsterers, barber shops, carpet cleaners, photographers, wagon makers, wheelwrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth-cleaning and dyeing establishments, bootblack stands, all billiard or pool games or other table games, or games played with cue and balls or other mechanical device, bakeries, milli-

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ners, gunsmith shops, steam renovating works, dressmaking establishments, local railroad, telegraph, and telephone companies, express companies, stage companies, electric-light, water, and power companies, bankers, brokers, job printers, manufacturers of soda waters or other soft drinks, or of beer, malt, spirituous, or vinous liquors, or other alcoholic beverages, brewing agencies, wholesale liquor houses, ore purchasers or brokers, sampling works, flour mills, city express and job wagon, draymen, second-hand stores, messenger-service establishments, contractors, contracting mechanics or builders, sash-and-door factories, planing mills, machine shops, car shops, building and loan companies, agents or solicitors for the same, real-estate agents, popcorn, peanut, and fruit stands, music stores, dry-goods stores, furniture stores, drug stores, undertakers, boot and shoe stores, tamale stands or shops, abstract of title companies or persons furnishing the same, foundries, iron works, notions and notion stores, advertising by billboards, placards, and the like, gun stores, sporting, hunting and fishing-tackle stores, jewelry stores, resorts for amusement of all kinds, and all and singular, all business, trades, and professions including attorneys, doctors, physicians, and dentists, and all character of business or callings not herein specifically named; *provided*, that in fixing any license the council must have due regard to, and be governed as far as possible by, the amount or volume of business done by each person, firm, company, association, or corporation thus licensed and on a pro rata basis; *provided further*, that no street-railway company shall be required to pay municipal license taxes in excess of the sum of twenty dollars a quarter.

The city council shall have power to fix, impose, and collect an annual per capita tax on all dogs and to provide for the destruction of all dogs upon which said tax shall not have been paid; to fix, impose, and collect a license tax on and regulate hacks, hackney coaches, cabs, omnibuses, and all other vehicles used for hire, and to regulate the stand of all hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons, and to regulate their rates of fare, and to require schedules of rates to be posted on or upon such public vehicles; to fix, impose, and collect a license tax on, regulate or suppress runners for hotels, taverns, or other business.

Tenth—To prevent any and restrain any riot or riotous assemblage, or disorderly conduct within the city, and to provide for the punishment for the same.

Eleventh—To provide for the formation of a chain-gang for persons convicted of offenses against the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and to prevent their escape while being so employed.

Twelfth—To provide for conducting all city elections, except the first one hereunder, regular or special, establishing election precincts, changing the same and appointing the necessary officers of election.

Thirteenth—To regulate the speed at which cars, automobiles, bicycles, and other vehicles may run, within the city limits, and to prescribe the length of time any street may be obstructed by cars standing thereon, and to require railroad companies either to station flagmen or place such sufficient warning signals or signal bells on street crossings as may in the judgment of the council be necessary, and to require street-railway cars to be provided with modern fenders, and to have warning or signal bells rung at all street crossings.

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Fourteenth—To examine all books, papers, reports, and statements of the several officers or other persons having custody, care, or disbursement of any moneys belonging to the city, and to examine and liquidate all amounts and claims against the city, and to allow or reject the same, or any part thereof.

Fifteenth—To provide for the issuance of all licenses in this charter authorized, and to fix the amounts thereof, and to fix the times for, manner of, and terms upon which the same shall be issued.

Sixteenth—To make all appropriations, examine and audit, reject or allow, the accounts of all officers, or other persons having the care or the custody of any city moneys or property, and to determine the fee or salaries of such officer or person, except as herein otherwise provided; to make contracts and agreements for the use and benefit of the city, such contracts to specify the fund out of which payment for the same is to be made; *provided*, that in no case shall a liability be created or warrant drawn against any fund, beyond the actual amount then existing in such fund wherewith to meet the same; *and provided further*, that if any debt is created against the city, contrary to the provisions of this charter by the said council, such debt, claim, or obligation shall be null and void as against the city, or any of its funds, but every councilman voting in favor of the same shall be held personally liable, jointly and severally, for the entire debt so made and shall be deemed guilty of malfeasance in office, and on conviction thereof shall be removed therefrom.

Seventeenth—To control, enlarge, or abolish cemeteries, and to sell or lease lots therein; to control and regulate the interments therein, and to prohibit them within the city limits, and to prescribe the distance from said limits where the same may be located.

Eighteenth—To establish, lay out, and to change fire limits, and to regulate or prevent the erection or repair of wooden buildings herein; to regulate and prescribe the material to be used in the construction of buildings and sheds in such limits; and regulate, prescribe, or prohibit awnings, porches, signs, placards, or billboards over sidewalks or across streets, and to regulate the same throughout the city.

Nineteenth—To provide by ordinance for a supplemental registration of all persons possessing the requisite qualifications of voters in said city, and whose names do not appear on the



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official register of voters in said city for the last preceding general election; such registration to be held every two years before the police judge and conform as nearly as possible with the requirements of general laws governing registration of persons for general elections; *provided*, that no such supplemental registration shall be taken later than thirty days preceding any regular city election.

Twentieth—To provide and maintain a city prison and to provide for the guarding, safe keeping, care, feeding, and clothing of the city prisoners.

Twenty-first—To prevent or regulate the running at large within the city, of any poultry, hogs, sheep, goats, swine, horses, cows, or animals; to establish a pound and to authorize the impounding, sale, or destruction of any animals or fowls found running at large.

Twenty-second—To regulate or prohibit the use of steam boilers; the location of telegraph, telephone, electric-light and other poles and suspension thereon of wires, and the construction of entrances to cellars and basements of sidewalks.

Twenty-third—To prevent and regulate the erection or maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures; to prescribe the manner of construction and location of drains and sewers; to lay out, change, and create sewer districts; to require connections with sewers; to require owners or lessees of public buildings or buildings used for public purposes, including hotels, dancing halls, theater buildings, to place in or upon the same fire escapes and appliances for protection against and the extinguishment of fire; to prevent the construction and cause the removal of dangerous chimneys, stovepipes, ovens, and boilers, and to prevent the depositing of sewer filth, offal, manure, or other offensive matter within the city; to prevent the depositing of ashes, rubbish, shavings, or any combustible material in unsafe places; to regulate and compel the cleaning, at the expense of the person in possession or responsible therefor, of all nauseous matter, filth, accumulated rubbish, or debris; to compel the abating of nauseous, stinking, or foul privy vaults.

Twenty-fourth—To regulate the entrance to and exit from theaters, lecture-rooms, public halls, and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, or benches in, or crowding or otherwise obstructing the aisles, entrances, or exits of such places.

Twenty-fifth—To regulate and control the construction and maintenance of any tubes, pipes, or pipe lines, ditches, signal bells, warning signs, and other electric, telegraph, and mechanical appliances, in, along, over, under, and across the streets and alleys; *provided*, that no such appliances shall be placed so as to interfere with the fire-alarm system, or extinguishment of fires, or permanently with the free use of the streets, sidewalks, or alleys.



Twenty-sixth—To require every railroad and street-railway company to keep the streets in repair between the tracks and along and within the distance of at least two feet upon each side of the tracks. Powers and duties of city council of Sparks

Twenty-seventh—To require upon such notice as the council may direct, any noxious or offensive smell, filth, or debris to be abated, removed, or otherwise destroyed, at the expense of the person or persons causing, committing, or responsible therefor, and the council, in like manner, may require or cause any lots or portion of lots covered by stagnant water for any period to be filled up to such level as will prevent the same from being so covered, and may assess the cost of filling upon such real estate, and provide that it shall be a lien thereon, in which case said lien shall be enforced as in other cases herein provided for.

Twenty-eighth—To provide for and regulate the manner of weighing all food products and foodstuffs, and hay, grain, straw, and coal, and the measuring and selling of firewood and all fuel within the city, and to provide for the seizure and forfeiture of such articles offered for sale which do not comply with such regulations, and to examine, test, and provide for the inspection and sealing of all weights and measures throughout the city and enforce the keeping by traders and dealers of proper weights and measures duly tested and sealed, and by ordinance provide a penalty for the using of false weights or measures.

Twenty-ninth—To restrain and punish vagrants, drunkards, disorderly persons, common prostitutes, mendicants, street beggars, and lewd persons; to suppress and abolish houses of assignation, or places resorted to by persons for the purpose of prostitution or immoral purposes; to prevent diseased, maimed, injured, or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish drunkenness, obscene language or conduct, indecent exposure of person, loud and threatening or lewd or obscene language, or profane language in the presence or hearing of women or children, and all obnoxious, offensive, indecent, and disorderly conduct and practices within the city; to prevent and punish the discharging of firearms in the city; the lighting of fires in yards, streets, or alleys, or other unsafe places, or anywhere within the city; to prevent and punish fast horseback riding, or the riding, or breaking to drive, of wild or unmanageable horses in the city; to require that all horses when left standing shall be hitched to posts or weight; to prescribe the length of time horses may be left tied, hitched, or otherwise, in the city.

Thirtieth—To regulate the sale and use of water, gas, electric, and other lights in the city; to fix and determine the price thereof, as well as the rental price of all water, and gas, and electric-light meters in the city, and to provide for the inspection of such meters; to regulate telephone service and the use

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of telephones, and to fix and determine the charges for telephones, telephone service, and connections within the city; *provided*, that nothing herein contained shall be held to supersede any state law upon this subject, so long as any such state law may be in effect.

Thirty-first—To regulate lodging, tenement, and apartment houses having four or more lodgers; to prevent the overcrowding of the same, and to require the same to be kept in a sanitary condition.

Thirty-second—To adopt and enforce, by ordinance, all such measures and establish all such regulations, in case no express provision is in this charter made, as the council may from time to time deem expedient and necessary for the promotion and protection of health, comfort, safety, life, welfare, and property of the inhabitants of said city, the preservation of peace and good order, the promotion of public morals, and the suppression of vice in the city, and to pass ordinances upon any other subject of municipal control, or to carry into force or effect any other powers of the city, and to do and perform any, every, and all other acts and things necessary for the execution of the powers conferred or which may be necessary to fully carry out the intent, purposes, and object thereof.

Thirty-third—To select, appoint, and employ an engineer, surveyor, architect, or other skilled mechanic or person, from time to time, whenever in the judgment of the council it shall be necessary or expedient, for the purpose of preparing plans for, or supervising the construction of or directing any public work; the salary or compensation, duties and responsibilities of such person to be fixed, determined, and fully defined by ordinance.

Thirty-fourth—To prescribe fines, forfeitures, and penalties for the breach or violation of any ordinance, or of any provisions of this charter, but no penalty shall exceed the amount of five hundred dollars or six months' imprisonment, or both such fine and imprisonment.

Thirty-fifth—To require of and prescribe the amount and conditions of official bonds from the members of the council and all officers of the city, whether elective or appointive.

Thirty-sixth—To institute and maintain any suit or suits, civil or criminal, in the name of the city, in the proper courts, whenever necessary, in their judgment, to enforce or maintain any right of the city, and they may, in like manner, defend all actions against the city; to institute and maintain any suit against any property owner refusing or neglecting to pay, as assessed by the council, his ratable proportion of the cost of paving, grading, or otherwise improving any street or building any sidewalk or other improvement which benefits such property or owner thereof.

Thirty-seventh—To hold, manage, use, and dispose of all real and personal property of the city, and to enforce the payment and collection of all dues and demands of every nature

or kind, belonging or inuring to the city, but no sales of property shall be made until after it shall have been appraised by three appraisers, residents and taxpayers of the city, at the actual market value, nor shall it be sold for less than seventy-five per cent of such appraised value; *provided*, that no park or property acquired for park purposes shall be sold or in any manner disposed of.

Thirty-eighth—Any property, real or personal, necessary or required for the public use of the city may be condemned and appropriated in the manner now prescribed by law and all rights of eminent domain may be exercised by the city in relation thereto.

Thirty-ninth—Nothing herein contained shall be construed as authorizing or permitting the opening or extension of any street across or upon the lands within the boundaries of said city of Sparks occupied for railroad purposes by the Central Pacific railway company, or the Southern Pacific company, their successors or assigns, said lands being particularly described as follows, to wit:

Tract for  
railroad  
purposes  
exempt from  
opening for  
streets, etc.

Commencing at a point which is the section-corner common to sections Nos. 4, 5, 8, and 9, township 19 north, range 20 east, Mount Diablo base and meridian, and running thence westerly along the north boundary line of said section No. 8, a distance of two hundred and forty-three (243) feet, more or less, to the northeastern corner of the townsite of Sparks, as shown on the townsite map recorded in the office of the county recorder of Washoe County on April 25, 1904, at request of the Southern Pacific company; running thence from said corner southerly at right angles along the eastern boundary line of said townsite of Sparks a distance of four hundred and twenty (420) feet to the southeast corner of said townsite of Sparks; thence at right angles westerly along the south boundary line of the said townsite of Sparks parallel with and distant four hundred and twenty (420) feet from the north boundary line of said section No. 8, a distance of twenty-three hundred and sixty-three (2,363) feet, more or less, to a point in the west boundary of the northeast quarter of said section No. 8, said point being also the southwest corner of the said townsite of Sparks; thence south along said west boundary of the northeast quarter of said section 8, a distance of three hundred and forty-five (345) feet, more or less, to a point distant sixty-five feet at right angles northerly from the center line of the reconstructed line of the Central Pacific railway as located and constructed; thence westerly to the right with an angle of 82 degrees and 24 minutes and parallel with and distant sixty-five feet at right angles northerly from said center line, a distance of one thousand and twenty-five (1,025) feet, more or less, to a point on the east line of Elm street; thence at right angles southerly along the said easterly line of Elm street and crossing the said center line of the reconstructed Central Pacific railway at or near engineer survey station No.

Tract for  
railroad  
purposes  
exempt from  
opening for  
streets, etc.

66 plus 80, a distance of three hundred and five (305) feet to a point; thence at right angles easterly two hundred (200) feet to a point; thence at right angles southerly one hundred and sixty (160) feet to a point which is distant four hundred (400) feet at right angles southerly from the center line of the said reconstructed Central Pacific railway; thence at right angles easterly parallel with and distant four hundred (400) feet at right angles southerly from said center line, a distance of eight hundred and eighty-eight (888) feet, more or less, to a point in the said west boundary of the southeast quarter of said section 8; thence southerly along said quarter-section line a distance of eighty-five (85) feet, more or less, to the southwest corner of the north one-half of the northeast quarter of said section 8; thence east along the south boundary of the said north one-half of the northeast quarter of section 8 and the south boundary of the north half of the northwest quarter of section 9 of said township and range, a distance of three thousand four hundred and sixty-five (3,465) feet, more or less, to a point distant fifty (50) feet, southerly at right angles from the said center line of the reconstructed Central Pacific railroad; thence southeasterly parallel with said center line and distant at right angles fifty (50) feet therefrom, a distance of eighteen hundred and twenty-five (1,825) feet, more or less, to a point on the east boundary line of northwest quarter of said section 9; thence north along said quarter-section line and crossing the said center line at engineer survey station No. 130 plus 33.15, a distance of one thousand and sixty-two (1,062) feet, more or less, to a point; thence at right angles westerly a distance of three hundred and fifty (350) feet to a point; thence northerly and parallel with the east line of said northwest quarter of section 9, four hundred and ninety-five (495) feet to a point in the north line of said section 9, township 19 north, range 20 east, M. D. M.; thence west along said north line of said section 9, a distance of twenty-three hundred and eleven (2,311) feet to the point of beginning, said parcel of land being all in said sections 8 and 9, township 19 north, range 20 east, Mount Diablo base and meridian.

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CHAP. 271—*An Act defining and classifying transient live stock and providing for the assessment, collection, and distribution of taxes on the same, providing penalties for violation of its provisions, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

*Transient Live Stock—How Determined.*

SECTION 1. For the purpose of taxation, as hereinafter provided, transient stock shall be deemed to be:

1. All stock brought into the state by any person or persons, other than *bona fide* residents thereof, for the purpose of being grazed or fed; and

Transient live stock defined

2. All stock owned by residents of the state and driven or removed from one county to another for the purpose of being grazed or fed.

*Certificate Required To Be Filed Upon Bringing of Live Stock into Any County.*

SEC. 2. It shall be the duty of every person or persons within ten days after bringing transient live stock into any county of the state for the purpose of being grazed or fed for any length of time, to set out in a certificate signed by such person or persons, or their agents, the number of live stock with the marks and brands on the same, and immediately file said certificate with the county clerk of the county in which said live stock shall be first brought, which certificate shall be substantially in the following form:

Certificate required to be filed upon bringing of live stock into any county

State of Nevada, County of \_\_\_\_\_, ss.

I, \_\_\_\_\_, of \_\_\_\_\_, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I brought into the county of \_\_\_\_\_, from the State of \_\_\_\_\_, \_\_\_\_\_ head of \_\_\_\_\_, branded on the \_\_\_\_\_, and marked as follows: \_\_\_\_\_

Form of certificate

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signed by \_\_\_\_\_

*Duty of County Clerk Upon Receiving Certificate.*

SEC. 3. It shall be the duty of the county clerk, upon said certificate being filed, to keep an index of the same in his office, and if the assessment rolls are in his possession or in the possession of the county treasurer, he shall, as clerk of the county, enter an abstract of such certificate upon the assessment roll for the current year; otherwise he shall deliver to the county assessor a certified copy of such certificate, and the county assessor shall enter an abstract of such certificate upon the assessment roll for the year.

Duty of county clerk upon receiving certificate

*Bond or Cash Deposit Required.*

SEC. 4. Every person or persons, bringing transient live

Bond or  
cash  
deposit  
required

stock into any county of the state, for the purpose of being grazed or fed for any length of time, shall be required by the assessor of the county where certificate is filed, as provided in the two preceding sections, to also file a good and sufficient bond (which bond must be approved by the assessor) in double the sum the taxes would amount to on such live stock figured at the rate and average valuation within the county effective during the last preceding regular taxing year; *provided*, such person or persons may deposit with the assessor, taking his receipt therefor, cash in like amount in lieu of bond herein provided for. Such bond or cash shall immediately be deposited by the assessor with the county treasurer, who shall give his receipt therefor. If a bond be given, such bond shall remain in full force and effect for a period of eighteen months from date thereof as a guarantee that the provisions of sections 5 and 6 of this act shall be fully complied with; thereafter such bond shall automatically become null and void without action or surrender, unless a suit at law has been instituted to enforce the provisions of said sections 5 and 6 of this act; in which event such bond shall remain in full force and effect until a final adjudication of the suit at law by a court of competent jurisdiction, and the issue of an order from said court. Said order may be for the release of the bond or the holding it liable for taxes and costs in full or in part. If a cash deposit be made, such cash shall be retained intact by the county treasurer in a separate fund, and unapportioned until such time as the taxes for that current year shall become due, when the treasurer shall apply such portion of the cash deposit to the payment thereof as may be required, and retain the balance intact in a separate fund and unapportioned for a period of eighteen months from the date upon which original deposit was made as a guarantee that the provisions of sections 5 and 6 of this act shall be fully complied with. At the expiration of such period of eighteen months, in the event no suit at law has been instituted to enforce the provisions of sections 5 and 6 of this act, the amount remaining in the cash deposit fund shall be returned by the treasurer on the personal demand of the person or persons originally making the deposit. If suit at law has been instituted to enforce the provisions of said sections 5 and 6 of this act, the amount remaining in the cash deposit unapportioned shall be retained by the treasurer until the final adjudication of the suit at law by a court of competent jurisdiction and the issue of an order of said court. Said order may be for the release in whole or in part of the amount remaining in the cash deposit unapportioned, or the holding it liable for taxes and costs in full or in part.

*Liability When Removed to Another County.*

SEC. 5. The person or persons bringing transient live stock into any county of this state to which this act is applicable



shall pay the taxes for the full calendar year on such live stock in the county where certificate is filed in accordance with section 2 of this act; *provided*, if after the filing of such certificate all or any part of the live stock covered thereby is removed to another county or other counties for any of the remaining portion of the calendar year, where the tax rate or tax rates are higher than in the county where certificate is filed, then, in such event, the bond or excess cash deposit required by the preceding section shall become liable for the amount of extra tax which would accrue by reason of such higher rate or rates, computed on the length of time the live stock shall have remained in such county or counties; *provided*, such extra tax shall become due and payable between the first and fifteenth day of January of the next succeeding calendar year; *provided further*, that if live stock coming under the provisions of this act is removed to any county or counties where the tax rates are lower than the rates in the county where original certificate is filed, then, in that event, no refund shall be allowed by reason of such lower rates.

Liability  
when  
removed to  
another  
county

*Idem—Procedure.*

SEC. 6. In the event of removal from the county where original certificate is filed to a county or counties where higher tax rates obtain in accordance with the provisions of the preceding section, it shall be the duty of the assessor or assessors of such county or counties to make demand upon the person or persons owning or having charge of such live stock, between the first and fifteenth day of January of the next succeeding calendar year, for the amount of such extra tax, if such person or persons are then known and reasonably accessible. Immediate payment of such extra tax shall release the bond filed or cash deposit made, in accordance with the provisions of section 4 of this act, to the amount of such payment; *provided*, that if for any reason the assessor is unable to collect such extra tax between the first and fifteenth day of January, or if the person or persons owning or having in charge such live stock are not reasonably accessible, he shall immediately after the fifteenth day of January certify all the facts in detail to the district attorney. The district attorney shall within ten days thereafter institute legal proceedings against the person or persons owning or having in charge such live stock on whose behalf bond was filed or deposit made, as provided in section 4 of this act, making a party thereto the treasurer of the county where bond was filed or deposit made, and the bondsmen (if any). For the purpose of any such proceeding the treasurer of the county where bond was filed or deposit made shall be considered the agent of the owner, and service upon such treasurer shall be equivalent to service upon the owner. Such bond or deposit shall be liable for the proper amount of extra tax and all costs of action, and no part thereof shall be released without an order of court.

Procedure  
when  
removal  
is made

*Not to Apply to Certain Residents.*

Not to apply  
to certain  
residents

SEC. 7. The provisions of this act relating to the filing of a bond or making of a cash deposit shall not apply to owners of sufficient real estate within the State of Nevada to insure the payment of said taxes.

*County Assessor to Furnish Owner With Certificate—Form of Certificate.*

County  
assessor to  
furnish  
owner with  
certificate

SEC. 8. It shall be the duty of the county assessor in each county, at the time of assessing any transient stock, to furnish the owner of said transient stock or his agent with a certificate and such copies thereof as the owner or his agent may require, showing the time, place, number, and description of the animals assessed; *provided*, residents and other persons not owning sufficient real estate within the state to secure the payment of said taxes shall have complied with all of the necessary provisions of this act before they shall be entitled to such certificate. Such certificate shall be substantially in the following form:

State of Nevada, County of \_\_\_\_\_, ss.

Form of  
certificate

I, \_\_\_\_\_, do hereby certify that I am the assessor of \_\_\_\_\_ County, State of Nevada; that I have this day assessed for the year 19\_\_\_\_, \_\_\_\_\_ head of \_\_\_\_\_ branded on the \_\_\_\_\_, and marked as follows: \_\_\_\_\_, the property of \_\_\_\_\_, a resident of \_\_\_\_\_ County, State of \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

By \_\_\_\_\_, Deputy. \_\_\_\_\_, Assessor.

*Certificate and Statement To Be Filed.*

Certificate  
and state-  
ment to be  
filed

SEC. 9. Whenever the owner of any transient live stock or his agent shall drive or remove such live stock into another county for grazing or feeding purposes, such owner or his agent shall file with the county clerk of such county a copy of the certificate set forth in the preceding section, together with a statement from said owner or his agent showing the date when they will probably leave. Such certificate and statement must be filed in each county into which such live stock are driven or removed.

*Assessor to Make Full Assessment.*

Assessor to  
make full  
assessment

SEC. 10. If the assessment in the county where first made is not in full, then the assessor of such other county in which such transient stock may be ranging is authorized to assess such stock to the number omitted in the previous assessment, and such taxes on the number so assessed shall be paid in the county where such last assessment is made.

*Applies to All Live Stock.*

Applies to all  
live stock

SEC. 11. The provisions of this act shall apply in cases of all transient live stock running at large or otherwise, whether in charge of a herder or not, and the taxes thereon may be collected at any time during the calendar year; and the fact that such live stock may have been assessed, and the taxes thereon for

the same year paid in some other state or territory, shall not exempt it from assessment and taxation in this state; *provided*, that nothing herein contained shall be so construed as to prevent the free passage of such live stock through this state for commercial purposes, or to deny to the citizens of each state all the privileges and immunities of citizens of the several states.

*Tax To Be Equalized, When.*

SEC. 12. When the property described in this act shall have been assessed as herein provided and the taxes thereon collected as prescribed herein, upon complaint in writing by the owner, his agent, or any person aggrieved (which complaint shall be made within ten days after the collection of said taxes, and shall be filed with any state board or commission authorized by law to equalize assessment values, or with the board of county commissioners, if there be no such state board or commission), that the assessment was too high or too low, it shall be the duty of such state board or commission or board of county commissioners at its next regular session after the filing of such complaint to equalize the same, and the proceedings shall be the same as in other cases of equalization.

Tax to be  
equalized,  
when

*County Commissioners to Commence Suit, When—Defendant in the Action.*

SEC. 13. It shall be the duty of the county commissioners of the county in which such live stock shall be herded or grazed without having first complied with the provisions of this act, upon receiving satisfactory information of such fact, to institute civil action in the name of the county against the person so herding or grazing such live stock, or his agent, for the proper amount of taxes due and all costs of action; and the institution or determination of such suit shall not in any wise act as a bar to the enforcement of any other penalties or forfeitures herein provided for.

County com-  
missioners  
to commence  
suit, when;  
defendant in  
the action

*Penalty for Moving Stock with Intent to Move Out of State—Misdemeanor.*

SEC. 14. If any person having the care or custody of such live stock shall, pending an action instituted as provided in the last section, drive or move said live stock out of the county with intent to move the same out of the state, or with the intent to evade the payment of the forfeiture hereinbefore named, upon affidavit to that effect being made and filed in an action being brought to recover said forfeiture or tax herein provided, writs of attachment may issue as in civil actions, and the proceedings therein shall be as in other cases, except that no undertaking on attachment shall be required; *provided*, the district attorney or other interested party may make such affidavit on information and belief. In addition to the foregoing, any person so driving or moving such live stock shall be guilty of a misdemeanor and be punished by a fine of not less than ten nor more than three hundred dollars, or by imprisonment in

Penalty for  
moving stock  
with intent  
to move out  
of state—  
misdemeanor

the county jail for not exceeding six months, or by both such fine and imprisonment, for each and every offense.

*Failure to File Certificate a Misdemeanor.*

Failure to  
file cer-  
tificate a mis-  
demeanor

SEC. 15. Any person named in section 2 of this act, or his agent, who shall bring any live stock into any county of this state for grazing or feeding purposes, and shall herd or feed or graze the same in any county of the state without filing said certificate as required herein, and without paying the amount of money or giving the bond as hereinbefore provided, shall be guilty of a misdemeanor and be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and shall further forfeit and pay the sum of forty cents for each and every head of cattle thereof, and fifteen cents for each and every head of sheep, for the use of said county, which said forfeit shall be collected by a civil action in the name of the county in which said live stock are, or were, so herded, grazed or fed.

*Further Punishment for Violation of This Act—Duties of Assessors.*

Further pun-  
ishment for  
violation of  
this act—  
duties of  
assessors

SEC. 16. Any person or his agent bringing live stock from one county in this state into another county for grazing purposes without filing the statement and certificate as provided in section 9 of this act, within ten days after he has crossed the county line, shall be guilty of a misdemeanor and be punished by a fine of not less than ten dollars nor more than one hundred dollars, or imprisonment in the county jail not to exceed six months; and in addition thereto said live stock shall not be exempt from taxation in the county from which they are taken. Any assessor of any county may, when he finds live stock belonging outside his county ranging within his county lines, enumerate such stock and render to the county clerk of the county where the stock belong, or the county where they were first certified to as herein required, a certificate setting forth the time that such stock entered and the time such stock left his county. A certificate so rendered shall be of the same force and effect as though made by an agent of the owner of the stock.

*Punishment for Failure of Officers to Perform Duties.*

Punishment  
for failure of  
officers to  
perform

SEC. 17. Any county officer or member of the board of county commissioners or board of equalization, who shall fail to perform the duties prescribed in this act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars.

*Construction of the Word "Person" Used in This Act.*

Construction  
of the word  
"person"  
used in this  
act

SEC. 18. Within the meaning of this act the word "person" shall be construed to mean and include corporations, whether domestic or foreign, joint-stock companies, firms, or other associations associated together and doing business.

*Repealing Section.*

SEC. 19. An act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved

March 13, 1895; an act entitled "An act defining and classifying transient stock and providing for the assessment, collection, and distribution of taxes on the same, and providing penalties for violation of its provisions," approved March 9, 1903; and all other acts and parts of acts in conflict herewith, are hereby repealed. Certain acts repealed

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CHAP. 272—*An Act to amend section 163 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, the same being section 6428 of the Revised Laws of Nevada.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 163 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, is hereby amended so as to read as follows:

Section 163. A libel is a malicious defamation, expressed Libel defined by printing, writing, signs, pictures, or the like, tending to blacken the memory of the dead, or to impeach the honesty, integrity, virtue, or reputation, or to publish the natural defects, of a living person or persons, or community of persons, or association of persons, and thereby to expose them to public hatred, contempt, or ridicule. Every person, whether the writer or the publisher, convicted of the offense, shall be fined in a sum not exceeding five thousand dollars, or imprisonment Penalty in the county jail not exceeding one year, or in the state prison not exceeding five years. In all prosecutions for libel the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published for good motive and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact. Jury to determine intent

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CHAP. 273—*An Act to amend an act entitled "An act providing for the better prevention, control, and extermination of infectious, contagious and destructive diseases, parasites, and insect pests, affecting animals, poultry, bees, or agricultural or horticultural plants, trees or shrubs, injurious to any industry in the state, and other matters relating thereto; and to repeal an act entitled 'An act providing for the appointment of a state veterinarian, defining his duties and fixing his compensation—governor to appoint,' approved March 15, 1905, and all acts and parts of acts in conflict with the provisions of this act," approved March 31, 1913.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

For pre-  
vention of  
disease in  
poultry,  
bees, agri-  
cultural and  
similar com-  
modities

Section 1. For the better prevention, control, and extermination of infectious, contagious, or destructive diseases, parasites or insect pests, affecting poultry, bees, or agricultural or horticultural plants, trees, or shrubs, injurious to any industry in the state, the governor, with the advice of the state quarantine officer, or otherwise, is hereby empowered to proclaim and enforce quarantine against any state or any portion of any state, with respect to the importation into Nevada, or against any county or any portion of any county, farm, nursery, or apiary within the state, with respect to the exportation therefrom to any other part of the state, of any poultry, bees, or agricultural or horticultural crops, products, seeds, plants, trees or shrubs, or any article (hereinafter for convenience referred to as commodity) infected with, or which may have been exposed to, infectious, contagious, or destructive diseases, or infected with parasites or insect pests, or the eggs or larva thereof, dangerous to any industry in the state; and to formulate and enforce such rules and regulations as may be necessary for the proper carrying out of the provisions of this act. The word "plants," as herein used, shall be construed to mean and include any and all farm, field, and garden crops grown in the state. The word "trees," as herein used, shall be construed to mean and include any and all fruit, shade, and ornamental trees. The word "shrubs," as herein used, shall be construed to mean and include all fruit-producing, ornamental, or useful shrubs and bushes.

SEC. 2. Sections 2, 3, and 4 of the above-entitled act are hereby repealed.

Certain  
sections  
repealed

SEC. 3. Section 5 of the above-entitled act is hereby amended to read as follows:

Section 5. It is hereby made the duty of each and every person in the state owning, possessing, or having upon his premises, or any premises under his control, lease, supervision,



or management, any poultry, bees, or agricultural or horticultural plants, trees, or shrubs, as heretofore defined, immediately upon the appearance thereamong of any unknown disease, or disease known to be, or which by him reasonably should be suspected of being, infectious, contagious, or destructive; or of any parasite or insect pest, known to be, or which by him reasonably should be suspected of being, injurious to any industry in the state, immediately to notify the state quarantine officer, and the neglect or failure so to do shall constitute a misdemeanor, and on conviction thereof the person so offending shall be fined in any sum not exceeding one hundred dollars.

State quarantine officer to be notified of suspicious diseases

SEC. 4. Section 6 of the above-entitled act is hereby amended to read as follows:

Section 6. It shall be the duty of the state quarantine officer to prepare, or cause to be prepared and printed, such circulars describing and illustrating the appearance and characteristics of such contagious, infectious, or destructive diseases, parasites, or insect pests as in his judgment is necessary and desirable.

Quarantine officer to issue bulletin

SEC. 5. Section 8 of the above-entitled act is hereby amended to read as follows:

Section 8. If the quarantine of any county or portion of any county, farm, nursery, or apiary is required, said state quarantine officer shall immediately issue an emergency quarantine order, which shall be effective for forty-eight (48) hours, at the end of which time it shall be void, unless confirmed by the governor. The state quarantine officer, or any agent appointed by him for such purpose, shall have authority to enter upon any premises for the purpose of inspection, with respect to the existence or suspected existence of any such disease, parasite, or insect pest, or the germs, eggs, or larvæ thereof, and to make such inspection as thorough as may be deemed proper without let or hindrance from the owner or person in possession or in charge thereof.

Quarantine to be established, procedure

SEC. 6. Section 9 of the above-entitled act is hereby amended to read as follows:

Section 9. When such disease, parasite, or insect pest, or the eggs or larvæ thereof, is discovered upon any premises, the state quarantine officer is hereby empowered to employ any and all means in his judgment necessary for the control, extermination, and prevention of the spread of the same. He may give explicit directions to the owner, or person in charge thereof, relating to what procedure he shall take with respect to the treatment, control, and extermination thereof and prevention of the spread of the same, and such instructions shall be mandatory upon such person, and he shall perform the same within a certain time to be specified, and the failure or refusal of any such person so to do shall constitute a misdemeanor, and on conviction thereof the person so offending shall be fined in any sum not exceeding five hundred dollars.

Quarantine officers to have full power

On such failure or refusal, or with the consent of the owner or person in possession or charge thereof, or in case of emergency, or on his own initiation, he, or any agent authorized by him so to do, may enter upon such premises and take charge thereof, and conduct such treatment, control, extermination, or prevention from spreading of any such disease, parasite, or insect pest, and all costs thereof shall be borne by the owner of such premises or property. On the neglect or refusal of such owner promptly to pay the same, on presentation of an itemized bill therefor, certified to by said state quarantine officer, said cost shall attach as a lien against any property of such owner within the state, and the district attorney of the county shall forthwith proceed to levy an attachment against such property for the amount due, plus the cost of legal procedure, and collect the same by foreclosure proceedings.

Penalties

SEC. 7. Section 10 of the above-entitled act is hereby amended to read as follows:

Further  
duties of  
quarantine  
officer

Section 10. Whenever in the opinion of the state quarantine officer, any general or special measures of precaution are necessary to be taken to prevent the introduction or spread of any such disease, parasite, or insect pest, beyond any premises where the same may have appeared, said state quarantine officer shall prepare explicit directions as to such measure, and notify all parties, directed to comply therewith, by letter, circular, or by publication. Where notice by publication in any county is deemed necessary by said state quarantine officer, he shall forward a copy of such notice to the chairman of the board of county commissioners of such county requesting that the same be published in one or more newspapers published in such county once a week for four consecutive weeks; and it shall be the duty of the board of county commissioners to cause the same forthwith to be so published, and the cost of such publication shall be paid by the county in the usual manner as other county advertising. And such notice, to all parties addressed, shall be mandatory for the performance of, and compliance with, such measures of precaution, according to such directions and within the time limits, if any, therein specified. It shall be the duty of the state quarantine officer to see that all persons comply therewith, and on the neglect or refusal of any so to do, promptly to notify the district attorney, with the names of the persons so neglecting or refusing. Said district attorney shall call the same to the attention of the board of county commissioners at its next succeeding meeting, and it shall be the duty of said board, and it is hereby fully authorized and empowered, to take such suitable action as in its opinion is necessary and proper to enforce the performance of, or compliance with, such measures of precaution with respect to the property or premises of each of said parties so neglecting or refusing. And in pursuance whereof said board may direct the sheriff of the county to carry out and enforce its order, and the costs thereof shall be borne by the owner of such property or premises; and on the

Notice to be  
published

Costs to be  
borne by  
owners

refusal of such owner promptly to pay the same on presentation of an itemized bill, certified to by the sheriff, said costs shall attach as a lien against any property of said owner within the state, and the district attorney of said county shall forthwith institute proceedings to foreclose such lien, together with the costs of legal procedure.

Costs a lien,  
when

**CHAP. 274—An Act empowering the superintendent of public instruction, regents of the state university, and school trustees to dismiss certain employees and forbidding them to engage or employ in the educational department in a professional manner any person other than a citizen of the United States, and prohibiting the state controller and county auditors from issuing any warrants to any person other than a citizen of the United States, and providing a penalty therefor.**

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** From and after the passage of this act, the superintendent of public instruction, regents of the state university, and school trustees are hereby empowered and required to dismiss any teacher, instructor, instructress, professor, or president employed in the educational department of this state who is not a citizen of the United States; or who has not declared his or her intentions to become a citizen.

All teachers  
and school  
officers must  
be U. S. citi-  
zens or have  
declared  
intentions to  
become such

**SEC. 2.** It shall be unlawful for the superintendent of public instruction, regents of the state university, or school trustees to engage or hire any president, superintendent, teacher, instructor, instructress, or professor in any of the educational departments of this state who is not a citizen of the United States.

Educational  
officers not  
to employ  
noncitizens

**SEC. 3.** It shall be unlawful for the state controller or county auditors to issue any warrants to any teacher, instructor, instructress, professor, superintendent, or president in any of the educational departments of this state who is not a citizen of the United States, or who has not complied with the provisions of section one of this act.

Disbursing  
officers not to  
pay salaries

**SEC. 4.** Any person who violates section three of this act, and upon conviction in any court of competent jurisdiction, his or her bondsmen shall be held in the penal sum of one thousand dollars for the first offense, and for each and every subsequent offense they shall be held in the penal sum of twenty-five hundred dollars, to be paid into the treasury of the State of Nevada, or county treasury, as the case may be.

Penalty

**SEC. 5.** All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal

**CHAP. 275—An Act creating a Lincoln highway commission, and to provide for the construction and repair of the public highway known as the Lincoln highway in the counties of White Pine, Eureka, Lander, Churchill, Washoe, and Ormsby, in the State of Nevada, and other matters relating thereto, and making an appropriation therefor.**

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Lincoln  
highway  
commission  
created

Course of  
Lincoln  
highway  
in Nevada

**SECTION 1.** There is hereby created a Lincoln highway commission. The construction and repairing of the highway known as the Lincoln highway, and the course of said highway shall be as follows: Starting at a point approximately east of Ely, on the dividing line of the State of Nevada and the State of Utah, where the said highway enters the State of Nevada, thence to the town of Ely, White Pine County, thence in a westerly direction to the town of Eureka in Eureka County, thence in a westerly direction to the town of Austin in Lander County, thence in a westerly direction to the town of Fallon in Churchill County, thence in a westerly direction to the city of Reno in Washoe County, where said road divides, then on one branch in a southerly direction to Carson City in Ormsby County, thence in a westerly direction by way of King's canyon to Lake Tahoe, and thence on to line dividing the State of Nevada and the State of California; the other branch commencing at Reno and running in a westerly direction through Verdi to the state line.

Appropriation for said highway, \$50,000, contingent upon \$250,000 appropriation by Lincoln highway association

**SEC. 2.** There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of \$50,000 for the construction and repair work of said Lincoln highway within the counties aforesaid. Said amount of \$50,000 to be expended in the event that the Lincoln highway association expend the sum of \$250,000, or more, within the State of Nevada, in construction and repair work upon said highway.

Sign-boards shall be maintained

**SEC. 3.** At each and every crossroad and branch road a sign-board shall be erected, upon which shall be painted the words "Lincoln Highway," and the number of miles to the principal town or city each way from the sign-board.

Work to be done under contract

**SEC. 4.** The construction and repair work done under the provisions of this act shall be done by contracts let to the lowest responsible bidder, after notices have been given for a period of not less than ten days by ten notices posted in the immediate vicinity of the said Lincoln highway, describing the work to be done, the time and place the bids shall be received and acted upon.

Governor to appoint commission

**SEC. 5.** The governor of the State of Nevada, immediately after the passage of this act, shall appoint a Lincoln highway commission, the said commission to consist of six members,

one from White Pine County, one from Eureka County, one from Lander County, one from Churchill County, one from Washoe County, and one from Ormsby County; said commission so appointed shall have full control over the construction and repair of the Lincoln highway within the limits of the said counties. Each member of said commission shall receive the sum of \$4 per day for each day actually devoted to the performance of his official duties; but when using a team or automobile in the performance of such duties the sum of \$8, which compensation shall be paid by the county from which said commissioner was appointed upon his filing a claim therefor with the county commissioners of said county and their allowance thereof. The county auditor of such county is hereby authorized and directed, on receiving such allowed claim to draw his warrant therefor on the treasurer of this county payable out of the general fund of such county and such treasurer is hereby authorized and directed to pay the same.

Compensation

SEC. 6. The state controller is hereby authorized and directed to draw warrants from time to time upon certified statements duly approved by said Lincoln highway commission, and further approved by the state board of examiners, and the state treasurer is hereby authorized and directed to pay such warrants.

Duties of controller and treasurer

CHAP. 276—*An Act fixing the compensation of the county clerk and ex officio clerk of the Fifth judicial district court of Nevada, in and for Nye County, and matters pertaining to the collection and disposition of fees arising from such office, and regulating the conduct thereof, and to repeal all acts or parts of acts in conflict therewith.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The county clerk shall receive a salary of three thousand dollars per annum for all his services in said office, and shall be allowed a deputy, to be named by him, at a compensation of eighteen hundred dollars per annum, and shall collect in advance, and monthly turn over to the county treasurer of the county, fees and compensation received by him in said office.

Salary of clerk of Nye County

All fees to county treasury

SEC. 2. The county clerk of Nye County, State of Nevada, shall be allowed to charge and to collect the following fees:

On the commencement of any action or special proceeding in the district court, including proceedings to contest any will or codicil, or on an appeal thereto, to be paid by the party commencing such action or proceeding, or taking such appeal:

Fees of county clerk of Nye

Fees of  
county clerk  
of Nye

First—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, does not exceed \$1,000, \$3.

Second—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, amounts to more than \$1,000, but not exceeding \$5,000, \$6.

Third—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, amounts to more than \$5,000, but not exceeding \$15,000, \$10.

Fourth—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, amounts to more than \$15,000, but not exceeding \$25,000, \$15.

Fifth—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, amounts to more than \$25,000, but not exceeding \$50,000, \$20.

Sixth—Where the amount sued for or value of property sought to be recovered, as specified in the complaint, amounts to more than \$50,000, \$25.

*Provided*, that this section shall not be deemed to include probate proceedings; *and provided further*, that actions for divorce, to quiet title, and in all cases where the value of the property or the relief sought to be recovered is not specified in the complaint in dollars and cents, all of such actions, suits, and proceedings shall be deemed to belong to the class mentioned in subdivision 2 of this section.

Court fee  
additional

The fees in this section specified shall not be deemed to include court fees, as now provided for by law.

On the filing of a petition for letters testamentary, or administration, or guardianship, five dollars, to be paid by the petitioner, said fee to be in addition to the court fee now provided for by law; *provided*, that at the time of the filing the inventory and appraisement in any such proceeding there shall be an additional deposit of one dollar for each additional one thousand dollars of the appraised value in excess of one thousand dollars.

On the appearance of any defendant, or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by him or them, one-third of the amount imposed by this section upon plaintiff in the same case; for every additional defendant, appearing separately, one-fifth of the amount imposed by this section upon plaintiff in the same case.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to, but not including, entry of judgment.

On the entry of judgment, to be paid by the party obtaining same, two dollars and fifty cents;

On the filing of any notice of motion to move for a new trial or any civil action or proceeding, the party filing same shall



pay to the clerk, in full for all services rendered in connection with said motion, two dollars; Fees of  
county clerk  
of Nye

For issuing an execution or order of sale, in any action, one dollar and fifty cents;

In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun, or acts performed.

The clerk shall also be entitled to charge and collect the following fees and compensation not above provided for:

For any copy of any record, proceeding, or paper on file in the office of the clerk, or record, proceeding, or paper on file relating to any civil action or other proceeding theretofore tried or pending in said court, when such copy is made by him, per folio, twenty cents;

For each certificate of the clerk under the seal of the court, fifty cents;

No fee shall be allowed to, or charged by, the clerk for any services rendered in any criminal case. No criminal  
fees

For services rendered by the clerk not in connection with civil action or proceedings in the court, he shall be entitled to charge and collect the following fees:

For issuing marriage licenses, one-half to be paid to the county recorder, two dollars;

For filing, indexing, and recording articles of incorporation, five dollars;

For filing and indexing articles of incorporation, which the law does not require to be recorded, one dollar;

For examining and certifying to a copy of any paper, record, or proceeding, prepared by another, and presented for his certificate, one dollar, and five cents per folio for comparing said copy with the original;

For administering each oath, without certificate, except in a pending action or proceeding, twenty-five cents;

For taking any affidavit, except in criminal cases, fifty cents;

For taking and approving each undertaking and the justification thereof, except in criminal cases, one dollar;

For taking acknowledgment of any deed or other instrument, including the certificate, one dollar;

For filing and indexing all papers to be kept by him, other than papers filed in actions and proceedings in court, or otherwise in this act mentioned, and official bonds and certificates of appointment, each, fifty cents, and for recording each said paper when so required, twenty cents per folio.

SEC. 3. All acts and parts of act in conflict with this act are hereby repealed. Repeal

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CHAP. 277—*An Act to provide for the protection and preservation of wild game, and to repeal all other acts in conflict therewith.*

[Approved March 26, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Certain birds  
protected

SECTION 1. It shall be unlawful for any person, or persons, firm, company, corporation, or association, to kill, catch, destroy, wound, snare, trap, injure, or pursue with attempt to catch, capture, injure, or destroy, any bluebird, bluejay, thrush, mocking-bird, oriole, humming-bird, or swan, robin, meadow-lark, or any insectivorous, plume, or song bird within this state.

Pheasants  
protected  
until 1920

SEC. 2. It shall be unlawful for any person or persons, firm, company, corporation, or association, to kill, destroy, wound, trap, net, weir, injure, or pursue with attempt to kill, capture, injure, or destroy any pheasant within this state before the first day of September, A. D. 1920.

Sagecock  
and sagehen

SEC. 3. It shall be unlawful for any person or persons, firm, company, corporation, or association, after the 15th day of February and before the 15th day of July of each and every year, to kill, catch, trap, cage, weir, destroy, or pursue with attempt to catch, capture, or destroy any sagecock or sagehen within this state.

Grouse and  
mountain  
quail

SEC. 4. It shall be unlawful for any person or persons, firm, company, corporation, or association, within this state, to kill, catch, trap, net, pound, weir, wound, or pursue, with attempt to catch, capture, injure, or destroy, any grouse or mountain quail between the 1st day of January and the 15th day of September of each succeeding year.

Duck, crane,  
plover,  
valley quail,  
prairie  
chickens,  
etc.

SEC. 5. It shall be unlawful for any person or persons, firm, company, corporation, or association, at any time from January 1 and before September 15 of each and every year, to kill, catch, net, cage, pound, weir, trap, or pursue with attempt to catch, capture, injure, or destroy, any wild duck, sandhill crane, plover, curlew, snipe, woodcock, valley quail, or prairie chicken within this state.

Nests and  
eggs pro-  
tected

SEC. 6. It shall be unlawful at any and all times of the year for any person or persons, firm, company, corporation, or association, to destroy, injure, or remove, the nest or eggs of any of the birds mentioned in this act.

Size of gun  
limited

SEC. 7. It shall be unlawful in this state for any person or persons to use at any time a shotgun of a larger caliber than that commonly known and designated as a number ten gage.

Open season  
for deer and  
antelope

SEC. 8. The open season for deer and antelope in this state shall be from September 15 to October 15, inclusive, of each and every year and during that time it shall be unlawful for any person or persons, firm, company, corporation, or association within this state to kill, catch, trap, wound, or pursue with an intent to catch, trap, injure, or destroy any number of deer or antelope exceeding one deer and one antelope for

Limited to  
one each

the open season of any one year. It shall be unlawful to kill, catch, trap, wound, or pursue with intent to catch, injure, kill, or destroy any fawn at any time.

Fawn always protected

SEC. 9. It shall be unlawful for any person or persons to have in their possession any deer or antelope during any time of the year other than during that time herein designated as the open season.

Unlawful to have in possession during close season

SEC. 10. It is hereby made unlawful for any person at any time to kill, catch, trap, net, impound, weir, wound, or pursue with intent to catch, capture, injure or destroy, any wild ducks or wild geese or mountain quail or valley quail during the hours included between sunset and sunrise.

Certain hunting at night unlawful

SEC. 11. It shall be unlawful for any person or persons, firm, company, corporation, or association, at any and all times of the year to hunt, chase, pursue, run, catch, or kill any deer, antelope, caribou, elk, mountain sheep, or mountain goat, with or by the use or aid of any hound or hounds.

Use of hounds prohibited

SEC. 12. It is hereby made unlawful for any person to sell, or offer for sale, or to attempt to sell, or barter any wild ducks, wild geese, prairie chicken, mountain quail, sagehen, grouse, valley quail, plover, or snipe. It shall be unlawful for any person or persons to purchase such game for the purpose of barter or sale, and it shall also be unlawful for any person to kill or have in his possession a greater number than twenty ducks, or twenty mountain quail, ten sagehen, six grouse, twenty valley quail, five plover, or fifteen snipe in one day; *provided*, that the county commissioners of any county may, acting for their respective counties, by special ordinance, permit the killing or having in one's possession of not to exceed one hundred valley quail.

Sale or barter of game unlawful

Number taken, limitation of

Exception

SEC. 13. Any person violating any of the foregoing provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$10 nor more than \$100, or be imprisoned in the county jail for a period not less than fifteen days nor more than thirty days, or by both such fine and imprisonment.

Penalty

SEC. 14. Any person or persons, company, corporation, or association, or common carrier, violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$50 nor more than \$500, or imprisonment in the county jail in the county in which said conviction is had for any term not exceeding six months, or by both such fine and imprisonment. It shall be no defense in the prosecution for the violation of any of the provisions of this act, that the animals or birds were taken or killed outside of the State of Nevada; nor shall it be any defense in the prosecution for the violation of any of the provisions of this act that the animals or birds were taken or killed by one other than he in whose possession said animals or birds were found.

Penalty for unlawful transportation

What not defense

Unlawful  
to receive  
for trans-  
portation

SEC. 15. Every railroad company, express company, transportation company, or any other common carrier, their officers, agents and servants, and every other person who shall transport, carry, or take out of this state, or who shall receive for the purpose of transporting or carrying from this state any deer, buck, doe or fawn, or any mountain sheep, or antelope, or any quail, sage chicken, prairie chicken, grouse, wild duck, or goose, or any other bird or animal mentioned in this act, shall be guilty of a misdemeanor.

Close season  
may be  
lengthened,  
but never  
shortened

SEC. 16. Should it be deemed advisable by any board of county commissioners for any county within this state to lengthen or extend the time of the close season for any specie of game mentioned in this act, the said board of county commissioners, acting for their respective county, may by special ordinance extend such close season; *provided, however*, that in no event shall the county commissioners or any other organization of men within this state extend the open season or shorten the close season for any specie of game whatsoever; *provided, however*, the county commissioners of any county in the state acting under the provisions of this act may change the open season for sagehen or for deer and antelope to an earlier or later date as the necessities of their respective county for the preservation of the above-mentioned game may demand; the length of time during which said game shall be protected shall in all cases remain the same as provided for in this act. Nothing in this act shall be so construed as to prohibit any person (upon a written permit of the governor of the state) from taking or killing any bird or fowl, or collecting the nest and eggs of the same, for strictly scientific purposes.

Exception  
for scientific  
purposes

Repeal

SEC. 17. All acts and parts of acts heretofore passed and in conflict with the provisions of this act, or extending or limiting the provisions of this act in any way whatsoever, are hereby repealed.

CHAP. 278—*An Act to amend an act entitled "An act to provide for the organization and government of drainage, irrigation, and water storage districts, to provide for the acquisition of water and other property, and for the distribution of the water thereby for irrigation purposes, and for other matters properly connected therewith," approved March 20, 1911.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of the above-entitled act is hereby amended so as to read as follows:

Section 1. Whenever a majority of the holders of title, or

evidence of title, to lands susceptible of one mode of irrigation from a common source or combined sources, and by the same system or combined systems of works, desire to provide for the irrigation of the same, or, when for drainage purposes and other reasons, they desire to organize the proposed territory into one district, they may propose the organization of an irrigation district under this act; *provided*, said holders of title, or evidence of title, shall hold such title, or evidence of title, to at least one-fourth part of the total area of the land in the proposed district; *provided further*, that no person shall be a competent signer of a petition provided in this act for the formation of an "irrigation district" who is not the holder of a title or evidence of title to not less than five acres of land irrigated or susceptible of irrigation from the said common source of water supply, which shall be accessible for the purpose of the district. The equalized county assessment roll next preceding the presentation of a petition for the organization of an irrigation district shall be sufficient evidence of title for the purpose of this act, but other evidence may be received, including receipts or other evidence of rights of entrymen on land under any law of the United States or this state, and such entrymen shall be competent signers of such petition, and the land on which they have made entries shall, for the purpose of said petition, be considered as owned by them.

Irrigation districts; how organized

SEC. 2. Section 5 of the above-entitled act is hereby amended so as to read as follows:

Section 5. The regular election of said district shall be held on the first Tuesday after the first Monday in April biennially thereafter, at which shall be elected one director by the electors of the district at large; *provided*, in districts already organized and directors have been elected in conformity with existing laws, no election shall be held until the year 1916; *provided further*, the directors elected at the organization election, heretofore held or held hereafter, shall be selected by lot, so that one shall hold his office for the term of two years, one for the term of four years, and one for the term of six years, and an election shall be held in each district biennially thereafter, at which one director shall be elected for a term of six years, or until his successor is elected and qualified. Such director must be a qualified elector and a freeholder of the division of the director whom he is to succeed in office. Within ten days after receiving the certificates of election hereinafter provided for, such officer shall take and subscribe to an official oath and file the same in the office of the board of directors, and execute the bond hereinafter provided for. Each member of said board of directors shall execute an official bond in the sum of fifteen thousand dollars (\$15,000), which said bonds shall be approved by the judge of the district court in and for said county where such organization is effected, and shall be recorded in the office of the county recorder thereof and filed with the secretary of said board. All official bonds provided

Election of directors, when and how held

Terms of office

Bonds

**Proviso** for in this act shall be in the form prescribed by law; *provided*, that in case any district organized under this title is appointed fiscal agent of the United States, or by the United States is authorized to make collections of moneys for and on behalf of the United States in connection with any federal reclamation project, each such director shall execute a further and additional official bond in such sum as the secretary of the interior may require, conditioned for the faithful discharge of the duties of his office, and the faithful discharge by the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and any such bond may be sued upon by the United States or any person injured by the failure of such director or the district to fully, promptly, and completely perform their respective duties.

**SEC. 3.** Section 6 of the above-entitled act is hereby amended so as to read as follows:

**Directors** Section 6. The office of the board of directors shall be located in the county where the organization was effected. Fifteen days before any election held under this act subsequent to the organization of the district, the secretary, who shall be appointed by the board of directors, shall cause notice specifying the polling places in each election precinct to be posted in three public places in each election precinct, of the time and place of holding the election, and shall also post a general notice of the same in the office of said board, which shall be established and kept at some fixed place to be determined by said board in said county. Prior to the time for posting the notice, the board must appoint from each precinct, from the electors thereof, three judges, one of whom shall act as clerk, who shall constitute a board of election for such precinct. If the board fails to appoint a board of election, or the members appointed do not attend the opening of the polls on the morning of election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the hour and the place in the precinct where the election must be held. At least four weeks before any such election, said board of directors shall appoint a registrar for each precinct of the district, except the precinct in which the office of the secretary of the board is located. In the precinct in which his office is located, or where there is but one voting precinct in the district, the secretary of the district shall act as registrar. Such registrars shall be governed in the performance of their duties by the general election laws of the state as far as they are applicable, and must be at their places of registration, to receive applications for registration, from nine o'clock a. m. to nine o'clock p. m., on each of three Saturdays next preceding the date of election. In addition to the usual elector's oath, the following shall be added: "As I am a resident in and holder of land within the boundaries of -----irrigation district." No election for any purpose

**Election notice**

**Registrar appointed**

**Addition to elector's oath**



shall be held in any irrigation district without such registration, and only those persons duly registered shall be allowed to vote thereat; *provided*, said directors may include all of said district in one voting precinct.

SEC. 4. Section 12 of the above-entitled act is hereby amended so as to read as follows:

Section 12. On the organization of the first board of directors of any such district, they shall designate some place within the district as the office of said board, and said board shall hold a regular monthly meeting in its office on the first Monday in every month, and any special meetings as may be required for the proper transaction of business; *provided*, that all special meetings must be ordered by the president or a majority of the board, the order must be entered of record, and the secretary must give each member not joining in the order five days' notice of such special meetings. The order must specify the business to be transacted at such special meeting, and none other than that specified shall be transacted; *provided further*, that whenever all members of the board are present, however called, the same shall be deemed a legal meeting, and any lawful business may be transacted. All meetings of the board must be public, and a majority shall constitute a quorum for the transaction of business; but on all questions requiring a vote there shall be a concurrence of at least a majority of the members of the board. All records of the board shall be open to the inspection of any elector during business hours; *provided further*, that in case any district organized under this title is appointed fiscal agent of the United States, or by the United States is authorized to make collections of moneys for and on behalf of the United States in connection with any federal reclamation project, the treasurer shall execute a further and additional official bond in such sum as the secretary of the interior may require, conditioned for the faithful discharge of the duties of his office, and the faithful discharge by the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and such further additional bond may be sued upon by the United States or any person injured by the failure of the said treasurer or of the district to fully, promptly, and completely perform their respective duties.

Election of officers

Meetings of board public

Provisos as to additional bonds

On the first Monday in May, next following their election, the board of directors shall meet and organize a board, elect a president from their number, and appoint a secretary and treasurer; *provided*, said board may in its discretion appoint one person to fill the offices of secretary-treasurer; *and provided further*, said appointee or appointees shall hold office during the pleasure of the board. All appointees of the board shall file bonds for the faithful performance of their duties as required by the board, it to approve the same.

Organization of board

Appointees

SEC. 5. Section 13 of the above-entitled act is hereby amended so as to read as follows:

**By-laws**

Section 13. Said board shall have the power to manage and conduct the business and affairs of the district, make and execute all necessary contracts, employ and appoint such agents, officers, and employees as may be required, and prescribe their duties, and to establish equitable by-laws, rules, and regulations, for the distribution and use of water among the owners of such land as may be necessary and just to secure the just and proper distribution of the same. Said by-laws, rules, and regulations must be printed in convenient form for distribution throughout the district. The board and its agents and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation works, and the lines of any canal or canals, and the necessary branches for the same, on any lands which may be deemed best for such location. Said board shall also have the right to acquire, either by purchase, condemnation, or other legal means, all lands, rights, and other property necessary for the construction, use and supply, maintenance, repair, and improvement of said canal or canals and works, including canals and works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances. In case of purchase, the bonds of the district, hereinafter provided for, may be used to their par value in payment.

Right of  
board to  
acquire  
property for  
irrigation  
purposes

Bonds at par  
value

Board may  
appropriate  
water, con-  
struct dams,  
etc.

Said board may appropriate water in accordance with the law and also construct the necessary dams, reservoirs, and works for the collection of water for said district; and do any and every lawful act necessary to be done that sufficient water may be furnished to each land owner in said district for irrigation purposes. The use of all water required for the irrigation of lands of any district formed under the provisions of this act, together with the rights of way for canals and ditches, sites for reservoirs, and all other property required to fully carry out the provisions of this act, is hereby declared to be a public use, subject to the regulations and control of the state, in the manner prescribed by law.

Public use

Board may  
contract  
with United  
States  
authorities

Said board may enter into any obligation or contract with the United States for the construction, operation, and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the federal reclamation act and all acts amendatory thereof or supplementary thereto, and the rules and regulations established thereunder; or the board may contract with the United States for a water supply under any act of Congress providing for or permitting such contract, and in case contract has been or may hereafter be made with the United States as herein provided, bonds of the district may be deposited with the United States at 90 per cent of their par value, to the amount to be paid by the district to the United States under any such contract, the interest on said bonds to be provided for by assessment and levy as in

Bonds may  
be used

the case of other bonds of the district, and regularly paid to the United States, to be applied as provided in such contracts, and if bonds of the district are not so deposited it shall be the duty of the board of directors to include as part of any levy or assessment provided for in section 31, as herein amended, an amount sufficient to meet each year all payments accruing under the terms of any such contract; and the board may accept, on behalf of the district, appointment of the district as fiscal agent of the United States, or authorization of the district by the United States to make collections of moneys for or on behalf of the United States in connection with any federal reclamation project, whereupon the district shall be authorized to so act and assume the duties and liabilities incident to such action, and the said board shall have full power to do any and all things required by the federal statutes now or hereafter enacted in connection therewith, and all things required by the rules and regulations now or that may hereafter be established by any department of the federal government in regard thereto; *provided*, all water, the right to the use of which is acquired by the district under any contract with the United States, shall be distributed and apportioned by the district in accordance with the acts of Congress and the rules and regulations of the secretary of the interior, and the provisions and contract between the said district and the United States in relation thereto.

Federal  
statutes to  
govern

SEC. 6. Amend section 19 of the above-entitled act so as to read as follows:

Section 19. The board of directors, or other officers of the district, shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act; and any debt or liability incurred in excess of such express provisions shall be and remain absolutely void; *provided*, that for the purpose of organization, or for any of the purposes of this act, the board of directors may, before the collection of the first assessment, incur an indebtedness not exceeding in the aggregate the sum of three thousand dollars, and may cause warrants of the district to issue therefor, bearing interest at six per cent per annum; *provided*, that the directors have the right and power to levy a tax of not to exceed five (5) cents the acre on all land and lands in said district for the payment of all expenses of organization and matters relating thereto; *and provided further*, that thereafter the directors have the right and power to levy a tax annually of not to exceed three (3) cents the acre on all land and lands in said district for the payment of the ordinary and current expenses of the district, including the salary of officers and other incidental expenses. After such levy is made, the secretary of the board of directors shall transmit the same to the county auditor of the county within which said district is located; the county auditor shall enter the same in the tax

No person to  
incur debts

Proviso

Power to  
levy and  
collect tax

rolls of the county; and it shall be the duty of the county treasurer to collect such taxes at the time and in the same manner that other taxes are collected.

SEC. 7. Amend section 22 of the above-entitled act so as to read as follows:

County commissioners  
may examine  
books

Section 22. Any board of directors of any such irrigation district, or the secretary thereof, shall at any time allow any member of the board of county commissioners, when acting under the order of such board, to have access to all books, records, and vouchers of the district which are in possession or control of said board of directors or said secretary of said board, and in case any district is appointed fiscal agent of the United States, or by the United States is authorized to make collections for or on behalf of the United States in connection with any federal irrigation project, such board of directors, or the secretary thereof, shall at any time allow any officer or employee of the United States, when acting under the order of the secretary of the interior, to have access to all books, records, and vouchers of the district which are in possession or control of the secretary or of said board.

SEC. 8. Amend section 23 of the above-entitled act so as to read as follows:

Plan of  
operations

Section 23. As soon as practicable after the organization of any such district, the board of directors shall, by a resolution entered on its records, formulate a general plan of its proposed operations, in which it shall state what constructive works or other property it proposes to purchase and the cost of purchasing the same; and further, what construction work it proposes to do, and how it proposes to raise the funds for carrying out said plan. For the purpose of ascertaining the cost of any such construction work, said board shall cause such surveys, examinations, and plans to be made as shall demonstrate the practicability of such plan, and furnish the proper basis for an estimate of the cost of carrying out the same. All such surveys, examinations, maps, plans, and estimates shall be made under the direction of a competent irrigation engineer and certified by him. Upon receiving said report, said board of directors shall proceed to determine the amount of money necessary to be raised, and shall immediately thereafter call a special election, at which shall be submitted to the electors of said district possessing the qualifications prescribed by this act, the question whether or not the expense shall be authorized, and whether by bond issue or otherwise. Notice of such election must be given by posting notices in three public places in each election precinct in said district at least four weeks before the date of said election, and the publication thereof for the same length of time in some newspaper published in the district, and in case no paper is published in the district, then in a paper published in each county in which the district, or any part thereof, is located. Such notice must specify the time of holding the election, the amount of bonds proposed to be

Election to  
authorize  
expense

Notice  
published

issued, and, in case such maps and estimates have been made, it shall further state that copies thereof are on file and open for public inspection by the people of the district, at the office of said board. Said election must be held and the results thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this act governing the election of officers; *provided*, that no informalities in conducting such an election shall invalidate the same if the election shall have been otherwise fairly conducted. At such an election the ballot shall contain the words "-----" (Question) "Yes," or "-----" (Question) "No," or words equivalent thereto. If two-thirds of the votes cast are "Yes," the board of directors shall be authorized to incur the expense, and if a bond issue be authorized, shall cause bonds in said amounts to be issued; if more than one-third of the votes cast at any bond election are "No," the result of such election shall be so declared and entered of record. And whenever thereafter said board, in its judgment, deems it for the best interest of the district that the question of the issuance of bonds in said amounts, or any other amounts, shall be submitted to the electors, it shall so declare of record in its minutes, and may thereupon submit such questions to said electors in the same manner and with like effect as at such previous elections; *provided* further, that said elections may authorize the assessment of all land in the district based upon benefits by the irrigation plan or scheme, as herein provided, and provide for the payment of such assessments by annual payments or at such times as may seem fit, each tract of land assessed being liable for its proportion on the benefit basis and for no further amount.

Questions  
on ballot

Proviso

SEC. 9. Section 24 of the above-entitled act is hereby amended so as to read as follows:

Section 24. The bonds authorized by any vote shall be designated as a series, and the series shall be numbered consecutively as authorized. The portion of the bonds of the series sold at any time shall be designated as an issue, and each issue shall be numbered in its order. The bonds of such issue shall be numbered consecutively, commencing with those earliest falling due, and they shall be designated as eleven-year bonds, twelve-year bonds, etc. They shall be negotiable in form, and payable in money of the United States as follows, to wit: At the expiration of eleven years from each issue, five per cent of the whole number of bonds of such issue; at the expiration of twelve years, six per cent; at the expiration of thirteen years, seven per cent; at the expiration of fourteen years, eight per cent; at the expiration of fifteen years, nine per cent; at the expiration of sixteen years, ten per cent; at the expiration of seventeen years, eleven per cent; at the expiration of eighteen years, thirteen per cent; at the expiration of nineteen years, fifteen per cent; at the expiration of twenty years, sixteen per cent; *provided*, that such percentages may be changed sufficiently so that every bond shall be in an amount of one hundred

Form of  
bonds

Percentages  
of bonds  
payable at  
certain  
intervals

Proviso



Semiannual  
Interest

dollars or a multiple thereof, and the above provisions shall not be construed to require any single bond to fall due in partial payments. Interest coupons shall be attached thereto, and all bonds and coupons shall be dated on January 1, or July 1, next following the date of their authorization, and they shall bear interest at a rate of not to exceed six per cent per annum, payable semiannually on the first day of January and July of each year. The principal and interest shall be payable at the place designated therein. Said bonds shall be each of a denomination of not less than one hundred dollars nor more than one thousand dollars, and shall be signed by the president and secretary, and the seal of the board of directors shall be affixed thereto. Coupons attached to each bond shall be signed by the secretary. Said bonds shall express on their face that they were issued by the authority of this act, naming it, and shall also state the number of the issue of which said bonds are a part. The secretary and the treasurer shall each keep a record of the bonds sold, their number, the date of sale, the price received, and the name of the purchaser. In case the money raised by the sale of all the bonds be insufficient for the completion of the plans and works adopted, and additional bonds be not voted, it shall be the duty of the board of directors to provide for the completion of said plan by levy of assessment therefor, in the manner hereinafter provided; *provided further*, that when the money provided by any previous issue of bonds has become exhausted by expenditures herein authorized therefor, and it becomes necessary to raise additional money for such purposes, additional bonds may be issued, submitting the question at a general election to the qualified voters of said district, otherwise complying with the provisions of this section in respect to an original issue of said bonds; *provided also*, the lien for taxes for the payment of interest and principal or of any bond issue shall be a prior lien to that of any subsequent bond issue; *provided further*, that the time for the issuance and maturity of the bonds and the manner of their payment may be otherwise determined and directed, if submitted to a vote, by the electors of said district at the election authorizing the said bonds.

Provisos

SEC. 10. Section 31 of the above-entitled act is hereby amended so as to read as follows:

Payment of  
bonds and  
interest

Section 31. Said bonds and the interest thereon and all payments due or to become due to the United States under any contract between the district and the United States, accompanying which bonds of the district have not been deposited with the United States, as herein provided, shall be paid by revenue derived from the annual assessment upon the land and the district; and all the land in the district shall be and remain liable to be assessed for such payment.

SEC. 11. Section 36 of the above-entitled act is hereby amended so as to read as follows:

Section 36. Annually, before October first, the board of



directors shall levy an assessment upon the lands in said district upon the basis, and in the proportion, of the list and apportionment of benefits approved by the court as hereinbefore provided, which assessment shall be sufficient to raise the annual interest on the outstanding bonds, and all payments due or to become due the ensuing year to the United States or any person or persons under any contract between the district and the United States, or said person or persons accompanying which bonds of the district have not been deposited with the United States or any person or persons, as herein provided. At the expiration of ten years after the issue of said bonds of any issue, the board must increase said assessment, as may be necessary from year to year, to raise a sum sufficient to pay the principal of the outstanding bonds as they mature. The secretary of the board must compute and enter in a separate column of the assessment book the respective sums, in dollars and cents, to be paid as an assessment on the property therein enumerated. When collected, the assessment shall be paid into the county treasury, and shall constitute a special fund, to be called "Bond Fund of ----- Irrigation District." In case any assessment should be made for the purpose contemplated by a bond authorization, it shall be entered in a separate column of the assessment book in the same manner as the bond fund; and when collected shall constitute the "Construction Fund of ----- Irrigation District," or in case such assessments include amounts due or to become due under any contract between the district and the United States as aforesaid, "Bond and United States Contract Fund of ----- Irrigation District."

Levy of  
assessments

SEC. 12. Section 38 of the above-entitled act is hereby amended so as to read as follows:

Section 38. After such assessment is made up, the secretary of the board of directors shall forthwith certify the same to the county auditor of the county in which the district is located, and the county auditor shall enter the same in the tax rolls of the county; and it shall be the duty of the county treasurer to collect such taxes at the time and in the same manner and subject to the same penalties that other taxes are collected. Said taxes shall become due and delinquent at the same time and shall be collected by the same officers and in the same manner as state and county taxes.

Payment of  
assessments

SEC. 13. Section 39 of the above-entitled act is hereby amended so as to read as follows:

Section 39. The county auditor, when making up the assessment roll, shall place upon it the taxes of the district as certified to him. At the time of computing the tax in the county assessment roll, the county clerk shall compute the district tax of the district and districts in the county. The records of the county shall contain a complete record as certified to its officers, and the auditor, clerk, and county treasurer

Delinquent  
list

shall do and perform all acts and acts necessary to the collection of the said taxes in conformity with law governing such matters.

SEC. 14. Section 42 of the above-entitled act is hereby amended so as to read as follows:

Contract for  
construction  
work

Section 42. After adopting a plan for said canal or canals, storage reservoirs, and works, the board of directors shall give notice, by publication thereof not less than thirty days in one newspaper published in each of the counties comprising the district, if a newspaper is published therein, and in such other newspaper as they may deem advisable, calling for bids for the construction of such work, or any portion thereof. If less than the whole work is advertised, then the portions so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board, and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening such proposals, which, at the time and place appointed, shall be opened in public; and as soon as convenient thereafter, the board shall let said work, either in portions or as a whole, to the lowest responsible bidder, or they may reject any and all bids and readvertise for proposals. Contracts for the purchase of the material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties to be approved by the board, payable to said district for its use, for 25 per cent of the amount of the contract price, conditioned upon the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer employed by the district, and approved by the board; *provided*, that no contract of any kind shall be let by said board of directors unless there is sufficient money in the district treasury at the time such contract is let, available for such payment, to fully pay for the work or material so contracted for; *provided further*, the provisions of this section shall not apply in the case of any contract between the district and the United States.

Certain  
sections  
repealed

SEC. 15. Amend the above-entitled act by striking out sections 40 and 41 of said act.

SEC. 16. Section 58 of the above-entitled act is hereby amended so as to read as follows:

Order to be  
recorded

Section 58. Upon a change of the boundaries of a district being made, a copy of the order of the board of directors ordering such change, certified by the president and secretary of the board, shall be filed for record in the recorder's office of each county within which are situated any of the lands of the district, and thereupon the district shall be and remain an irrigation district as fully and to every intent and purpose as if the lands which are included in the district by the change of the boundaries as aforesaid had been included therein at the

original organization of the district; *provided*, that in case contract has been made between the district and the United States, as in section 13 provided, no change shall be made in the boundaries of the district, and the board of directors shall make no order changing the boundaries of the district until the secretary of the interior shall assent thereto in writing, and such assent be filed with the board of directors.

SEC. 17. Section 61 of the above-entitled act is hereby amended so as to read as follows:

Section 61. The board of directors to whom such petition is presented must cause the land described in such petition to be surveyed by a competent irrigation engineer, and if found to be too high to receive any benefit from irrigation works of said district, said board must make an order changing the boundaries of said district so as to exclude the land described in said petition; *provided*, that in case contract has been made between the district and the United States, as in section 13 provided, no change shall be made in the boundaries of the district, and the board of directors shall make no order changing the boundaries of the district until the secretary of the interior shall assent thereto in writing and such assent be filed with the board of directors.

Excluded  
lands to be  
surveyed

SEC. 18. Section 64 of the above-entitled act is hereby amended so as to read as follows:

Section 64. Whenever the board of directors of any two or more irrigation districts which are contiguous deem for the best interests of their respective districts that the same be consolidated into a single district, such board of directors may petition the board of county commissioners for an order for an election, to vote upon the question of such consolidation, which petition shall state in detail the terms upon which said consolidation is proposed to be made. Upon receiving such petitions, the said board of county commissioners shall request the state engineer to investigate the conditions of such districts, and all questions affecting such proposed consolidation, and he shall make a report of the result of such investigation to the board of county commissioners not more than ninety days after such request is received. At the time said report upon the matter is made, said board of county commissioners, if deemed advisable, shall make an order fixing the time for an election in the said district to vote upon the question of such proposed consolidation, which time shall not be less than thirty, nor more than sixty days after the date of said report. Notice of said election shall be published as required for notice of the election in section 4 of this act; and the said board of directors shall make all necessary arrangements for such election in their respective districts as provided in this act for other elections. The ballots should be substantially as follows: "Consolidation—Yes," "Consolidation—No." The said board of directors shall canvass the returns of such election as provided in case of usual district elections, and shall immedi-

Districts  
may be  
consolidated

Election to  
decide, when

Ballots

Directors of  
consolidated  
district

Proviso  
regarding  
contracts  
with U. S.  
authorities

District  
dissolved;  
method of  
procedure

ately thereafter transmit, by messenger or by registered mail, certified abstracts of the result of said election in their respective districts to the clerk of the board of county commissioners. Within ten days after such returns are received by the clerk the said board of county commissioners shall meet and canvass the same. If it appears that a majority of all the votes cast in each of said districts is "Consolidation—Yes," said board shall make an order and enter the same of record in its minutes establishing said consolidated district, giving its boundaries and designation, and in detail the terms under which the consolidation has been effected, and dividing said consolidated district into three divisions, and shall appoint some person qualified under this act to act as director of each of said divisions of said district until the next general election for the election of officers, when a board of directors shall be elected as provided in section 5; *provided, however*, that the organization of such district shall not take effect until the first Tuesday of the January following said order of its establishment. If the date provided by law for the election of directors shall come between the date of said order of the board of county commissioners and said first Tuesday of January, then in making such order said board shall designate the board of directors of one of the consolidated districts as a board to take charge of said election, and a director shall in that case be elected for each division of said consolidated district, and in that case no appointment of directors shall be made by said board of county commissioners. If, however, upon such a canvass by said board of county commissioners it appears that a majority of votes cast in any district thus proposed to be consolidated is "Consolidation—No," then a record of that fact shall be entered in the same minutes of the said board of county commissioners, and all the proceedings had under this section shall be void; *provided also*, that in case contract has been made between either district and the United States, as in section 13 provided, no consolidation shall be made and no order of consolidation entered until the secretary of the interior shall assent thereto in writing, and such assent shall be filed with the board of county commissioners.

SEC. 19. The above-entitled act is further amended by adding a section numbered 69½, to read as follows:

Section 69½. Upon the filing of the petition in the district court setting forth that said irrigation district should be forthwith dissolved, such petition to be signed by at least a majority of the land owners and who own at least two-thirds of the land in said district, the said court shall make its order setting said petition for hearing, giving at least ten and not more than twenty days notice thereof, by publication in a newspaper, if one is published in the county; *provided further*, that before the order can be entered dissolving the district, the directors must show that the district, as such, does not owe any money nor that there are any outstanding bonds of said district or

other evidence of indebtedness. Upon a proper showing being made the said district court shall enter its order dissolving absolutely such irrigation district; *provided further*, the said district may be divided or land excluded therefrom on a similar showing and petition signed by a majority of the electors owning at least two-thirds of all the land in the said district; *provided further*, that in case contract has been made between the district and the United States no division of said district or change in the boundaries of the district thereof, and no order dividing or changing the boundaries of the district or excluding land therefrom shall be made until the secretary of the interior shall assent thereto in writing, and such assent be filed with the said court having jurisdiction thereof.

Consent of  
secretary  
of interior  
necessary,  
when

SEC. 20. Said above-entitled act is amended by adding a section numbered 70, to read as follows:

Section 70. It shall be the duty of the treasurer, or secretary-treasurer of the said district, to attend all sales of property for delinquent taxes where assessments or taxes have been levied by the district, and in case there are no bidders for any parcel or parcels of property offered for sale and which parcel or parcels are affected by a tax or assessment of said district, to pay such tax and costs thereon, then such treasurers may bid for and bid in such parcel or parcels of property as others will not buy as aforesaid, in the name of and for said district; and such treasurer shall take the certificate of sale, or deeds for such property, as other private buyers and subject to the same redemption, fees, and other provisions of law relating thereto. Said property shall be held, treated, and disposed of in accordance with the laws relating to similar cases in which counties purchase property.

Treasurer to  
attend tax  
sales and bid  
in certain  
property for  
use of district

CHAP. 279—*An Act to amend section 11 of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," approved March 23, 1911.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 11 of the above-entitled act is hereby amended so as to read as follows:



Section 11. Every public utility shall file with the commission within a time to be fixed by the commission, schedules which shall be open to public inspection, showing all rates, tolls, and charges which it has established and which are in force at the time for any service performed or product furnished in connection therewith by any public utility controlled or operated by it. In connection with such schedule, and as a part of it, shall also be filed rules and regulations that in any manner affect the rates charged or to be charged for any service or product. A copy or so much of said schedules as the commission shall deem necessary for the use of the public shall be printed in plain type and posted in every station or office of such public utility where payments are made by the consumers or users, open to the public, in such form and place as to be readily accessible to the public and conveniently inspected. When a schedule of joint rates or charges is, or may be, in force between two or more public utilities, such schedule shall, in like manner, be printed and filed with the commission, and so much thereof as the commission may deem necessary for the use of the public shall be posted conspicuously in every station or office as in this section above provided. No changes shall thereafter be made in any schedule, including schedules of joint rates, or in the rules and regulations affecting any and all rates or charges, except upon thirty days' notice to the commission, and all such changes shall be plainly indicated, or by filing new schedules in lieu thereof thirty days prior to the time the same are to take effect; *provided*, that the commission, upon application of any public utility, may prescribe a less time within which a reduction may be made. Copies of all new or amended schedules shall be filed and posted in the stations and offices of public utilities as in the case of original schedules; *provided*, whenever there shall be filed with the commission any schedule stating a new individual or joint rate, fare, or charge, or any new individual or joint regulation or practice affecting any rate, fare, or charge, the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders, without answer or formal pleading by the interested utility or utilities, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, fare, charge, classification, regulation, or practice; and pending such hearing and the decision thereon, the commission, upon delivering to the utility or utilities affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation, or practice, but not for a longer period than sixty days beyond the time when such rate, fare, charge, classification, regulation, or practice would otherwise go into effect; and after full hearing, whether completed before or after the date upon which the rate, fare, charge, classification, regulation, or practice is to go into effect,

Schedules  
of public  
utilities must  
be open for  
public  
inspection

Must be  
filed with  
commission

Joint  
schedules

No change  
except on 30  
days notice

Proviso as to  
reduction in  
rates

Schedule  
suspended,  
when



the commission may make such order in reference to such rate, fare, charge, classification, regulation, or practice as would be proper in a proceeding initiated after the rate, fare, charge, classification, regulation, or practice had become effective; *provided*, that if any such hearing cannot be concluded within the period of suspension as above stated, the commission may, in its discretion, extend the time of suspension a further period not exceeding sixty days. In all cases where such order of suspension shall have been made, the commission shall give to the hearing and decision of the question involved preference over all other questions pending before it, and decide the same as speedily as possible.

Suspension may be extended 60 days, when

CHAP. 280—*An Act to amend section 21 of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," approved March 23, 1911.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 21 of an act entitled "An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act," is hereby amended so as to read as follows:

Amending public service commission act

Section 21. A full and complete record shall be kept of all proceedings before the commission or its representative on any formal investigation, and all testimony shall be taken down by the stenographer appointed by the commission. Whenever any complaint is served upon the commission as hereinafter provided for the bringing of actions against the commission, before the action is reached for trial, the commission shall cause a

Complete record of all hearings must be recorded

Copies of  
same fur-  
nished at  
reasonable  
price

certified copy of all proceedings held and testimony taken upon such investigation to be filed with the clerk of the court in which the action is pending. A copy of such proceedings and testimony shall be furnished to any party, on payment of a reasonable amount therefor, to be fixed by the commission, which amount shall be uniform per folio to all parties. The amount so charged and collected shall be turned over by the commission to the state treasurer, and by him carried into the fund appropriated for the general expenses of the commission.

CHAP. 281—*An Act to amend section 13 of an act entitled "An act to regulate railroads, telegraph and telephone companies, and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and amended March 20, 1909, and amended March 27, 1911.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
railroad  
commission  
act

SECTION 1. Section 13 of an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, as amended March 20, 1909, and as amended March 27, 1911, is hereby amended so as to read as follows:

Each com-  
missioner  
may admin-  
ister oaths

Section 13. Each of the commissioners, for the purpose mentioned in this act, shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses, and the production of papers, way-bills, books, accounts, documents, and testimony. In the case of disobedience on the part of any person or persons to comply with any order of the commission or any commissioner or any subpoena, or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county, or a judge thereof, on application of a commissioner, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court, or a refusal to testify therein.

Contempt,  
when

(a) Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the state in the same manner as other expenses are audited and paid, upon the presentation of proper vouchers, sworn to by such witnesses and approved by the chairman of the commission; *provided*, that no witness subpoenaed at the instance of parties other than the commission shall be entitled to compensation from the state for attendance or travel unless the commission shall certify that his testimony was material to the matter investigated.

Witness  
to receive  
regular fees

Expenses  
of witnesses  
paid, when

(b) The commission or any party may, in the investigation, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by the law for like depositions in civil actions in district courts.

Depositions,  
when

(c) A full and complete record shall be kept of all proceedings had before the commission or any investigation had under section 12 of this act, and all testimony shall be taken down by the stenographer appointed by the commission. Whenever any complaint is served upon the commission under the provisions of section 16 of this act the commission shall, before said action is reached for trial, cause a certified transcript of all proceedings had and testimony taken upon such investigation to be filed with the clerk of the district court of the county where the action is pending. A transcribed copy of the evidence and proceedings, or any specific part thereof, or any investigation taken by the stenographer appointed by the commission, being certified by such stenographer to be a true and correct transcript in longhand of all testimony taken at the investigation, or of a particular witness, or of other specific part thereof, carefully compared by him with his original notes, and to be a correct statement of the evidence and proceedings had on such investigation so purporting to be taken and transcribed, shall be received in evidence with the same effect as if such reporter were present and testified to the facts so certified. A copy of such transcript shall be furnished on demand to any party, on payment of a reasonable amount therefor, to be fixed by the commission, which amount shall be uniform per folio to all parties. The amount so charged and collected shall be turned over by the commission to the state treasurer and by him carried into the fund appropriated for the general expenses of the commission.

Full record  
to be kept

Competent  
evidence,  
when

Copy of  
transcript,  
reasonable  
price

CHAP. 282—*An Act supplementary to an act entitled "An act to provide for the creation, organization, and maintenance of the Nevada state police, prescribing the powers and duties of the officers and members thereof in maintaining peace, order, and quiet in the State of Nevada, fixing their compensation, providing certain penalties, and other matters relating thereto, making an appropriation therefor, and repealing all acts and parts of acts in conflict therewith," approved January 29, 1908; and making the superintendent of the Nevada state police ex officio warden of the state prison; fixing his salary; providing for an acting warden during vacancy or absence of the superintendent, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Superin-  
tendent of  
state police  
to be ex  
officio  
warden of  
state prison

SECTION 1. From and after the first day of April, A. D. 1915, the superintendent of the Nevada state police shall be ex officio the warden of the state prison of this state, and shall hold office until his successor is chosen and qualified. He shall, as such ex officio warden, and in addition to his bond as superintendent of the Nevada state police, execute a bond in such sum as the state board of prison commissioners shall designate, not exceeding the sum of fifteen thousand dollars, for the faithful discharge of his duties as warden, which bond shall be given to the State of Nevada, approved by the chief justice of the supreme court, and filed with the secretary of state.

Captain of  
guard acting  
warden,  
when

SEC. 2. In the event of vacancy in the office of superintendent of Nevada state police, by death, resignation, or otherwise, such vacancy shall be filled as now provided by law, and until the filling of such vacancy, and during any absence of the warden, the captain of the guard of the state prison shall be acting warden thereof without any increase in salary.

Salary of  
superin-  
tendent

SEC. 3. From and after the first day of April, A. D. 1915, the salary of the superintendent of Nevada state police and ex officio warden of the state prison shall be, and the same is hereby fixed, at thirty-six hundred (\$3,600) dollars per annum, in full compensation for all his services as such superintendent and warden, with mileage and expense allowances as now provided by law when engaged in the discharge of his duties, said salary to be payable in monthly installments out of the general fund in the state treasury, in the same manner as other state officers are paid.

Repeal

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

**CHAP. 283—An Act regulating the nomination of candidates by political parties, providing for the holding of primaries and conventions, and regulating the manner of nominating candidates by petition.**

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. A primary election shall be held in each election precinct on the second Tuesday in August of each even-numbered year, for the election of delegates to state and county party conventions, and for other purposes as hereinafter provided.

Primary election in August of even-numbered years

SEC. 2. Every political party, which at the last preceding general election cast more than ten per cent of the vote of the state, as shown by the highest vote cast for a candidate for any office, shall be entitled to elect delegates to party conventions as hereinafter provided.

Parties entitled to delegates

SEC. 3. Each political party entitled to election of delegates to party conventions shall be entitled to one delegate from each county to the state convention, for each one hundred votes or major fraction thereof cast for such party within the county, and one delegate to a county convention for each twenty votes or major fraction thereof so cast; *provided*, that delegates to the party state convention shall also be delegates to the party county convention. For the purpose of determining the number of delegates a political party is entitled to, the party vote of a county shall be determined by the vote for the party candidate for representative in Congress at the last preceding general election.

Apportionment of delegates for state and county conventions

How determined

SEC. 4. Delegates to state party conventions shall be elected at large by party electors of the county. Delegates to party county conventions shall be elected by precincts.

State delegates elected at large; county delegates by precincts

SEC. 5. Any qualified elector desirous of becoming a delegate to a party convention and having his name printed upon the official primary election ballot as a candidate for delegate shall, not earlier than thirty days nor later than ten days before such primary election, file a verified certificate with the county clerk, which certificate shall set forth his name and residence; the name of the party with which he is affiliated and which he desires to represent as a delegate; the length of his residence in the state and county; the convention, whether state or county, to which he aspires to be a delegate; that he is a member of the political party he seeks to represent, and that he voted for a majority of the candidates of such party at the last preceding general election (or he did not vote at such general election, giving reasons), and that he intends to vote for a majority of said ticket at the coming election; that he will attend the convention or conventions if elected thereto unless unavoidably prevented from so doing.

Candidate for delegate shall file certificate

What certificate shall contain

Each county clerk to prepare form of primary ballot

(a) Immediately after the last day for filing names of candidates for delegates, as provided in the preceding section, the county clerk shall prepare a form of ballot for each election precinct within his county for each political party entitled to elect delegates to conventions, which shall contain the names of all electors, who have filed certificates as provided in the preceding section, entitled to be voted for in such precinct, together with such other information as will assist the voters to intelligently cast their ballots.

Specifications as to form and size of ballots

(b) Official primary election ballots shall not be less than eight inches wide, and wider if necessary, to conform to the requirements of the following provisions, and as long as the herein captions, headings, party designations, directions to voters, lists of printed names of candidates for delegates, require.

Specifications as to type, etc.

(c) Across the top of the ballot shall be printed in heavy-faced gothic capital type, not smaller than fifty-four point, the words: "Official Primary Election Ballot."

Beneath this shall be printed in not smaller than eighteen-point type the name of the party, and beneath this the name of the county and precinct, wherein such ballot is to be used, together with the date of such primary election.

At least three-eighths of an inch below the name of the county and precinct as aforesaid, and the date of the primary election, shall be printed in ten-point black-face type, double leaded, the following: "Instructions to Voters."

"To vote for a convention delegate or delegates, stamp a cross opposite and to the right of the name of the person for whom you desire to vote in the blank space or spaces below."

The "Instructions to Voters" shall be separated from the lists of candidates for delegates and blank spaces by one light and one heavy line or rule.

"Instructions to Voters" shall be printed with the heading, "Delegates to State Convention"—"Vote for One"—"Vote for Two," or more, according to the number to be elected, and then shall follow the names of the candidates for delegates to the state convention and below shall be printed the words, "Delegates to County Convention"—"Vote for One," or "Vote for Two," or more, according to the number to be elected.

The printed names of the candidates for delegates shall be grouped in alphabetical order, according to surnames, and the words "Vote for One," or "Vote for Two," or more, according to the number to be elected. The number of delegates to be elected shall be printed in heavy-faced gothic type, not smaller than eight-point. The direction for voting shall be separated from the names of the candidates by a light line.

The names of the candidates for delegates shall be printed on the ballot without indentation, in gothic capital type not smaller than eight-point, between light lines, or rules, three-eighths of an inch apart. To the right of the printed names



of such candidates shall be printed a light line, or rule, so as to form a voting square three-eighths of an inch square.

SEC. 6. A primary election ballot shall be voted by stamping a cross opposite and to the right of the printed name of the candidate for delegate voted for: Stamp must be used

SEC. 7. Separate ballots shall be printed for each political party entitled to nominate delegates by primary election as provided in this act. The county clerk shall cause to be printed twice as many official party primary election ballots for each voting precinct as there were votes of such party cast at the last preceding general election, and for new precincts such number of ballots as he may determine will be necessary, providing that, in case of a manifest increase or decrease of population in any precinct, a greater or less number of such ballots may be printed than hereinbefore provided, but a sufficient number in all cases shall be printed. Official party primary election ballots shall be printed upon a good quality of tinted paper, a different tint for each party primary ballot. Official primary ballots for the Republican party shall be tinted blue, for the Democratic party, pink, for the Socialist party gray, and for other political parties such different tints as the county clerk shall determine. Primary party election ballots shall be numbered and bound as prescribed for official general election ballots. Separate ballots for each political party  
Number and color specified

SEC. 8. It shall be the duty of the state and county central committees, respectively, of the several political parties entitled to elect delegates to state and county conventions, on or before the second Monday in July of each even-numbered year, to apportion the delegates which each political party is entitled to elect to the state and county conventions, apportioning delegates to the county convention by precincts according to the number of delegates each precinct is entitled to according to the party vote cast in such precinct at the last preceding general election. Such county central committees shall, on or before the said second Monday in July, file with the county clerk a certificate of such apportionment of delegates, which certificate shall be subscribed and sworn to by the chairman and secretary of the county central committees of the respective parties. Every precinct casting over ten votes in the last preceding general election or which registers ten votes at the close of registration for the primary election shall be entitled to one delegate to the county convention. Any political party entitled to elect delegates as hereinbefore provided, the county central committee of which fails to file the prescribed certificate of apportionment, shall not be entitled to have ballots printed or to hold a primary election as in this act provided; *provided*, that the state central committee of any political party entitled to elect delegates may, within five days after the time prescribed for filing certificates by county central committees, file such a certificate in any county within the state, and such certificate filed by the state State and county committees to apportion delegates, and certify same to county clerks  
Precinct of 10 voters entitled to one county delegate  
Neglect to file forfeits right to have ballots at primary  
Proviso

central committee, subscribed and sworn to as in the case of certificates of county central committees, shall have the same force and effect as a certificate filed by the county central committees.

Each county clerk to advertise notice of primary election

Notices mailed and posted

Blanks, ballots, etc., to be county expense

Primary election officers, how selected

Duties of registry agents

General election laws to govern

SEC. 9. Within five days after the time has expired for the filing of certificates of apportionment, the county clerk shall cause to be published in a newspaper or newspapers (not exceeding two) of general circulation in the county, notice of the primary election, which notice shall specify the date of the election, the places within the county where the polls shall be held, the hours during which the polls will be open, the number of delegates to be elected by the several parties, and the apportionment thereof to precincts. Such publication shall be made once in each week for three successive weeks. Similar notices shall be mailed by the clerk to registry agents of each voting precinct and it shall be the duty of such registry agent to post three or more copies of the same in conspicuous places in the precinct, one copy of which shall be posted at a place or places where the polls will be held.

SEC. 10. The expense of providing all ballots, blanks, and other supplies to be used at any primary election provided for by this act, and all expenses necessarily incurred in the preparation for or the conduct of such primary election shall be paid out of the treasury of the county in the same manner, with like effect and by the same officers, as in the case of an election.

SEC. 11. On or before the first Monday of July of each even-numbered year, the county central committees of the several political parties in this state shall nominate to the county clerk two persons for election officers for the several precincts within the county, and the county clerk, from such nominations, shall select three inspectors and two clerks to act as election officers in each precinct, each party to have as near as may be equal representation of such officials. The officers of primary elections shall be the same as provided by law for general elections, and such officers shall serve without compensation, and no claim shall be made against the counties for any salaries of officers acting at primary elections. It shall be the duty of the proper officers to furnish certified copies of the official register, together with the check-list of each election precinct, to one of the inspectors of the primary election as now provided by law for general elections. If the officers appointed by the county central committee refuse to act, the registry agent shall open the polls, deliver and receive the ballots, and count and canvass and return the same.

SEC. 12. The qualifications and regulation of voters at primary elections shall be subject to the same tests and governed by the same provisions of law and rules and regulations as are now prescribed by law for general elections, and the same officers who prepare and furnish registers for general elections shall prepare and furnish them for use at primary elections,

and it shall be the duty of the proper officers to furnish a certified list of the voters entitled to vote thereat for use at primary elections, which said copy shall show the names of all voters entitled to vote at such elections. Said register shall be made by taking the names of all voters on the register used at the last general election in the city, precinct, or county, together with supplemental registers or additions showing all additional registrations, changes, and corrections made since the last general registration. The supplemental registers to be made as follows: All persons entitled to register or vote at any primary election in any precinct, city, or county whose names are not upon the register, or who may be entitled to transfer their registration, shall be entitled to be registered or transferred so as to enable them to vote at such primary election, and for that purpose it shall be the duty of the officer charged with the registration of voters of such precinct, city, or county, to keep his office open for at least fifty days prior to ten days immediately preceding such primary election, and to register all voters entitled to vote at such primary election. Said registry agent shall be paid a reasonable sum for copying the names from one register to another, the amount to be fixed by the county commissioners of the county; for all new names he shall be paid as now allowed by law.

Register of voters

Supplemental registers, when

SEC. 13. Any elector desiring to vote at any primary election shall give his name and address to the ballot clerk, who shall immediately announce the same, but no ballot shall be delivered to any elector except such as has the right to vote as herein provided; such elector's right to vote may be challenged by any elector upon any of the grounds now allowed by law for a challenge of a right to vote at any general election, and upon the additional grounds that such elector has not registered, or his name does not appear upon the register as required by law, or that he does not belong to the political party designated upon the register, or that the register does not show that he designated his politics or the political party to which he belongs. All challenges shall be disposed of in the same manner as provided by law for general elections. The voter shall be instructed, if necessary, by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without delay stamp a cross in the square opposite and to the right of the names of his choice for delegates. If he shall spoil or deface a ballot, he shall at once return the same to the ballot clerk, who shall cancel the same and deliver to him another ballot. The officers of election shall see that all booths are provided with rubber stamps and pads as are required for use at general elections.

How elector may vote at primary election

Challenges

Voter instructed, when

SEC. 14. No elector shall be entitled to vote at primary elections unless he has theretofore designated to the registry agent his politics or the political party to which he belongs, and has caused to be entered upon the register, by such regis-

Must specify political allegiance

try agent, his politics or the political party to which he belongs.

Method of  
stamping  
ballot

SEC. 15. The voter shall designate his choice on the ballot by stamping a cross (X) opposite and to the right of the printed name of each candidate for delegate for whom he desires to vote. If he shall stamp more names than there are candidates for delegates to be elected, or if for any reason it is impossible to determine his choice, his ballot shall not be counted for such delegates, but the rest of his ballot, if properly stamped, shall be counted. No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice.

Technical  
error does  
not vitiate  
vote

Vote  
deposited

SEC. 16. When a voter has stamped his ballot, he shall fold it so that its face shall be concealed, and hand the same to a member of the board in charge of the ballot-box. Such folded ballot shall be placed in the ballot-box in the presence of the voter, and the name of the voter checked upon the register as having voted.

Polls open  
continuously

SEC. 17. No adjournment or intermission whatever shall take place until the polls shall be closed and until all votes cast at such polls shall be counted and the result publicly announced, but this shall not be deemed to prevent any temporary recess while taking meals or for the purpose of other necessary delay; *provided*, that no more than one member of the board shall at any time be absent from the polling-place.

Exception  
Proviso

Count of  
vote, how  
conducted;  
must be  
public

SEC. 18. As soon as the polls have finally closed the judges must immediately proceed to canvass the votes cast at such primary election. The canvass must be public, and must be continued without adjournment until completed, and the result thereof declared. Except as herein otherwise provided, the canvass shall be conducted, completed, and returned as in the case of general elections. The board must take the ballots from the box and count all the votes cast for each party candidate for delegate and record the same on separate tally-lists for each party, and immediately mail said tally-lists and ballots by registered mail to the county clerk; *provided*, that in the case of precincts within five miles from the county-seat, delivering of tally-lists and ballots may be made personally.

Official  
canvass by  
county com-  
missioners

SEC. 19. The board of county commissioners of each county shall meet at the usual place at 1 o'clock in the afternoon of the first Friday after such primary election to canvass the returns. If, at the time of meeting, the returns from each precinct in each county in which polls were open have been received, the board must then and there proceed to canvass the returns; but if all the returns have not been received the board may adjourn to 1 o'clock in the afternoon of the following Monday, when the canvass shall begin and be continued until completed, which shall not be later than 6 o'clock in the afternoon of the tenth day following such primary election.

Clerk to  
record result

The clerk of the board shall, as soon as the result is declared enter upon the records of the board a statement of the result,

which shall contain the whole number of votes cast for each person for delegate in each political party, and a duplicate as to each political party shall be delivered to the respective county chairman of the political parties, as the case may be.

The county clerk in any county shall forthwith send to the secretary of state, by registered mail, a separate list of the delegates of each political party elected to the respective state conventions, and the secretary of state shall make and deliver a copy thereof to the respective chairmen of the state central committees.

Result sent to secretary of state and state chairmen

SEC. 20. The persons receiving the highest number of votes at a primary election for delegate or delegates shall be entitled to a seat in the respective party convention or conventions. If the vote for two or more delegates be a tie and it be necessary to determine such tie in order to entitle one or more of such delegates to a seat in the convention, such tie shall be determined by the county central committee after reasonable notice of a time and place for such determination given to all persons having such tie vote; *provided*, that such persons receiving a tie vote may contest before the convention, and shall be entitled to a seat in the convention in the absence of the person entitled to the seat by the decision of the committee.

Tie vote for delegates, how decided

SEC. 21. On the third Tuesday in September following the primary, at the hour of 11 a. m., the delegates of each political party entitled to seats in a party county convention shall convene at the county-seat of such county at such place as the county central committee shall designate, and there organize and adopt a county party platform and elect a county committee to consist of not less than one nor more than three committeemen from each voting precinct. Such convention shall also proceed to nominate party candidates for all county and precinct offices to be filled by electors of the county and the several townships therein.

County convention, how and when held

To nominate county officers

SEC. 22. The county committeemen shall hold office for the term of two years, and until their successors are elected. A vacancy in such committee may be filled by the remaining members. Each such committee may select an executive committee and shall choose its officers by ballot, and each committee and its officers shall have the powers usually exercised by said committees and the officers thereof in so far as may be consistent with this act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act.

County committeemen; term, 2 years

SEC. 23. On the first Tuesday in September after any August primary election the delegates of each political party elected to the state party convention shall convene at the state capitol, or such other place as the state central committee shall designate, at 11 o'clock a. m., and shall formulate the state platform of their party. The delegates from the counties to the state convention from counties making up districts of two

State party conventions held at state capitol



or more counties shall nominate the district judge and other district officers, which nominations shall be certified by the state convention as other nominations.

**State central committee, how selected** Such convention shall also proceed to elect a state central committee, to consist of at least three members from each county, who shall hold office until a new state central committee shall have been elected. Such state central committee shall meet and organize at a time and place to be designated by the body selecting such state central committee, and such committee may then or thereafter select an executive committee.

**To nominate state candidates** Such convention shall also proceed to nominate candidates for all offices to be filled by the electors of the entire state.

**Proxies allowed only in case of unavoidable absences** SEC. 24. Delegates to state and county conventions may be represented by proxies duly appointed; *provided*, that a delegate shall not be entitled to appoint a proxy except in case of inability to attend in person the convention; *provided further*, that no person shall be entitled to act as a proxy in a convention unless he or she be a qualified elector and *bona fide* resident of the county or precinct he represents.

**Party nominations certified to proper public officials** SEC. 25. The chairman and secretary of state, district, and county conventions, respectively, shall make a certified list, duly verified, of all party nominations. The certificate of state and district nominations shall be filed with the secretary of state, and that of county and township nominations shall be filed with the county clerk.

**Vacancies in nominations, how filled** SEC. 26. Vacancies in nominations occurring for any cause after the holding of any party convention shall be filled by the party committee of the county, or state, as the case may be.

**General election laws to govern** SEC. 27. The general election laws, in so far as they are applicable and not in conflict with the provisions of this act, shall apply to primary elections.

**No fees for filing certificates** SEC. 28. No fee shall be charged for filing certificates of nominations made by a convention. Candidates for delegates to conventions shall at the time of filing their certificate of candidacy pay to the clerk a filing fee of one dollar and the clerk shall issue to him a receipt therefor.

**Act liberally construed** SEC. 29. This act shall be liberally construed to the end that the real intent of the electors shall prevail.

**Act not to apply to delegates to national conventions** SEC. 30. The provisions of this act with reference to delegates to state conventions shall not apply to conventions held for the selection of delegates to national conventions and in such conventions the state central committee of the party may prescribe such rules and regulations as it may deem best.

#### NOMINATIONS BY PETITION

A candidate for public office may be nominated otherwise than by convention in the manner following:

A certificate of nomination shall be signed by electors within the state, district, or political subdivision for which the candi-



**dates** are to be presented, equal in number to at least ten per cent of the entire vote cast at the last preceding general election in the state, district, or political subdivision for which the nomination is made; *provided*, that such certificate shall contain the signatures of at least five electors. Said signatures need not all be appended to one paper but each signer shall add to his signature his place of residence. One of the signers of each such certificate shall swear that the statements therein made and the signatures therein set forth are true to the best of his knowledge and belief. The certificate of nomination herein provided shall state the name of the principle, if any, which the person nominated by petition represents, but in so doing the name of no political party as defined by this act existing at the last preceding general election shall be used.

Nominations for public office by petition; 10 per cent of last vote required

Such certificates of nomination for officers to be voted for by the electors of the entire state or by districts composed of two or more counties shall be filed with the secretary of state; all others shall be filed with the clerk of the county wherein the officers are to be voted for.

Regulations regarding filing certificates of nomination

Such certificates of nomination as provided in this section shall be filed on or before the first Tuesday in September preceding the election, and no person shall be nominated by such certificate or petition who has been a candidate before any convention of any political party as herein defined.

No certificate of nomination shall contain the name of more than one candidate for each office to be filled, and no person shall sign such certificate or petition who has voted in any convention, either in person or by proxy, for or against any candidate for office. No fees shall be charged for filing such certificate or petition.

No fees

**SEC. 31.** Any act or omission declared to be an offense by the general laws of this state concerning general elections shall also, in like case, be an offense concerning elections as provided for by this act, and shall be punished in the same manner and form as therein provided, and all penalties and provisions of the law governing elections, except as herein otherwise provided, shall apply in equal force to elections as provided for by this act. Wilful failure or refusal of any officer to perform the duties prescribed in this act shall be a gross misdemeanor, and in addition to the punishment prescribed by law, shall subject such officer to removal from office.

All offenses declared by general election laws are offenses under this act

**SEC. 32.** The pronoun "he," used herein, shall be construed and intended to mean "he" or "she."

"He" includes "she"

**SEC. 33.** All acts and parts of acts in conflict with this act are hereby expressly repealed.

Repeal

CHAP. 284—*An Act to amend section 253 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, and all acts and parts of acts supplementary thereto and amendatory thereof.* [Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
crimes and  
punishments  
act

SECTION 1. Section 253 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911, and all acts and parts of acts amendatory thereof and supplementary thereto, is hereby amended so as to read as follows:

Gambling  
games and  
slot-  
machines  
played for  
money pro-  
hibited

Section 253. It shall be unlawful for any person to deal, play or carry on, open or conduct, in any capacity whatever, any game of faro, monte, roulette, lansquenet, rouge et noir, rondo, tan, fan-tan, seven-and-a-half, twenty-one, hokey-pokey, craps, klondyke, or any banking or percentage game played with cards, dice, or any device, for money, property, checks, credit, or any representative of value; or any gambling game in which any person keeping, conducting, managing or permitting the same to be carried on receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, carrying on or permitting the said game to be carried on; or to play, maintain or keep, any slot machine played for money or for checks or tokens redeemable in money, or to buy, sell or deal in pools, or make books on horse-races, save and except the playing of poker; stud-horse poker, five hundred, solo and whist, when the deal alternates and no percentage taken and that any and all racing associations and corporations which shall obtain license to conduct race meetings in the State of Nevada, pursuant to law, may carry on and permit within the inclosure where horse-racing is held, betting upon the races conducted within said inclosure by and through the paris mutual system of betting; and any person who violates any of the above provisions shall be guilty of a felony, and upon conviction thereof shall be imprisoned in the state prison for a period of not less than one year nor more than five years. Every person who shall play at any game whatsoever, other than those hereinabove excepted, for money, property or gain, with cards, dice or any other device which may be adapted to or used in playing any game of chance, or in which chance is a material element, or who shall bet or wager on the hands or cards or sides of such as do play as aforesaid, shall be deemed guilty of a felony; *provided, however,* that nothing in this paragraph shall be construed as prohibiting social games played, only for drinks and cigars served individually, or for prizes of a value not to exceed two dollars, nor nickel-in-the-slot machines for the sale of cigars and drinks and no playback allowed.

Poker, stud-  
horse, five  
hundred,  
solo, and  
whist  
excepted

Licensed  
horse-racing  
excepted

Felony

Social games  
and mer-  
chandise  
machines  
excepted

CHAP. 285—*An Act relating to elections.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

CHAPTER 1

RESIDENCE

*Residence Defined.*

SECTION 1. Every citizen of the United States, twenty-one years of age or over, who will have continuously resided in this state six months and in the county or precinct thirty days next preceding the day of the next ensuing election, shall be entitled to vote at such election, provided he or she is duly registered as hereinafter provided. Residence defined

*Residence Gained or Lost.*

SEC. 2. No person shall be deemed to have gained or lost such a residence by reason of his presence or absence while employed in the military, naval, or civil service of the United States, or of the State of Nevada; nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student at any seminary or other institution of learning, nor while kept at any almshouse, or other asylum, at public expense, nor while confined in any public prison or jail. Residence gained or lost

*Residence Not Lost.*

SEC. 3. A person removing from one county, within this state, to another, or from one precinct to another of the same county, within thirty days prior to any election, shall not be deemed to have lost his residence in the county or precinct removed from; *provided*, he was an elector in such county or precinct on the thirtieth day prior to such election. Residence not lost

*Residence Lost.*

SEC. 4. If a person remove to another state, territory, or foreign country, with the intention of establishing his domicile there, and making it his home, he shall lose his residence in this state. Residence lost

*Burden of Proof.*

SEC. 5. If a person having a fixed and permanent home in this state, break up such home and remove to another state, territory, or foreign country, the intent to abandon his residence in this state shall be presumed, and the burden shall be upon him to prove the contrary; and the same rule shall obtain when a person, in like circumstances, and in like manner, shall remove from one county or precinct to another within the state. Burden of proof

*Residence of Family Place of Residence.*

SEC. 6. If a man have a family residing in one place and he does business in another, the former must be considered his place of residence, unless his family be located there for tem- Residence of family place of residence

porary purposes only; but if his family reside without the state, and he be permanently located within the same, with no intention of removing therefrom, he shall be deemed a resident.

Residence  
lost, when

SEC. 7. If a person remove to another state, territory, or foreign country, with the intention of remaining there for an indefinite time, and as a place of present residence, he shall lose his residence in this state, notwithstanding that he may entertain the intention of returning at some uncertain future period; and an occasional return, either for business purposes or pleasure, to the place of his former abode in this state, shall not be sufficient to preserve his residence therein.

## CHAPTER 2

### REGISTRATION

Concerning  
registration

SEC. 8. A new registration of the electors of this state shall be made in the year 1916, within the dates hereinafter specified, and every two years thereafter.

One registra-  
tion only

SEC. 9. After being once registered in any precinct in this state, no elector shall be permitted to reregister in any other precinct until the following biennial registration as herein provided. If any elector loses his residence in the precinct in which he is registered, by reason of removal therefrom, he shall acquire the right to vote in his new precinct by a transfer of registration only, as hereinafter provided.

*When Registry Agent Other than Justice of the Peace May Be Appointed.*

When regis-  
try agent  
other than  
justice of the  
peace may  
be appointed

SEC. 10. The justices of the peace of the several counties of the state shall be ex officio the registry agents of their respective townships, and, as such, their powers and duties shall be as hereinafter provided in this act; *provided*, that in any townships where, from any cause, there shall be no justice of the peace duly commissioned and qualified, or where an election district may be situated too distant from the office of the justice of the peace of said township, the commissioners of the county in which said election district is located may appoint some other competent person to perform the duties of registry agent, who shall be clothed with the same power and governed by the same restrictions as justices of the peace in the registration of the names of electors under the provisions of this act. All registry agents shall have power to administer oaths or affirmations, and do such other acts as may be necessary to fully carry out the provisions of this act. Any registry agent or ex officio registry agent may appoint a deputy registry agent who, upon the filing of his appointment and oath of office with the county clerk, shall have power to register voters, administer oaths or affirmations, and do all such other acts as may be done by a registry agent in carrying out the provisions of this act. Any registry agent or ex officio registry agent appointing any deputy shall be responsible for the compensation and acts of such deputy.

*County Commissioners to Provide Stationery for Registry Agents.*

SEC. 11. The county commissioners of the several counties shall provide for the registry agents, in their respective counties, when and where required, all proper and necessary books and stationery to carry out the provisions of this act. They shall furnish to each registry agent a book which shall be known as the "Official Register," which shall be ruled in columns of suitable dimensions to provide for the following entries opposite the name of each elector, to wit:

County commissioners to provide stationery for registry agents

First—Number on the register.

Second—Date of registry.

Third—Name of elector.

Fourth—Age and sex of elector.

Fifth—Where born.

Sixth—Last place of residence before coming to Nevada.

Seventh—First place of residence in Nevada.

Eighth—Present number of ward, or name of electoral district.

Ninth—Description of residence.

Tenth—Certificate of naturalization exhibited.

Eleventh—Designating the politics or political party of the elector; *provided*, that said elector shall not be required to designate his politics or the political party to which he belongs.

What register must show

*Particular Directions as to Registration of Voters.*

SEC. 12. It shall be the duty of the registry agents, at any time when called on to do so, between the hours of 10 a. m. and 6 p. m., on all legal days, from and after the first day of July, and up to and including the twentieth day of October, prior to any general election, and in the case of any special or municipal election provided for by law, twenty days prior to closing the register (which shall close ten days prior to the day of election), to receive and register the names of all persons legally qualified and entitled to vote at such election, or who will have legally acquired a residence (being otherwise qualified) and right to vote at such ensuing election according to the provisions of law under which such election may be held, in each election district within their respective townships, entering on the official register under the proper heading, the number and date of registry, the name (with the first or given name in full, if practicable), the sex, the age, which may be given as over twenty-one, and nativity of the elector, last place of residence of elector before coming to Nevada, first place of residence of elector in Nevada, together with the number of the ward or name of precinct, and a particular description of the house, building, or room in which the elector resides, such as will enable the officer or person desiring to serve notice of objection to vote to find the same without difficulty; and when the person so registered shall be of foreign birth, the fact of the exhibition of or failure to exhibit his certificate of naturalization shall be noted in

Particular directions as to registration of voters

Proviso

the column provided for that purpose, which list, properly entered, as in this section required, shall be known as the "Official Register" of elections of their respective townships; *provided*, that for ten days next preceding the day set for closing the registry before any election mentioned in this act, said registry agents shall also be in attendance at their respective offices, and ready to register the names of applicants, at any time between the hours of 7 and 9 o'clock p. m., in addition to the hours heretofore required in this section; *provided further*, that if any person shall fail or refuse to give his residence and the other information, with the particularity required in this section, he shall not be registered; *and provided further*, if the 20th day of October shall fall on Sunday the time for registration shall be extended until 6 p. m. of the 21st day of October.

*To Publish Notice.*

Registry  
agents must  
publish  
notice

SEC. 13. The registry agents shall cause to be published in a newspaper published in their county, or if none be so published, then in a newspaper published nearest their county-seat, for twenty days before the expiration of the time provided for registration, prior to any general election, and for ten days before the expiration of the time provided by law for registration prior to any special or municipal election, a notice to the effect that the time for registration of the names of the qualified electors in election districts number....., township....., prior to the.....election (specifying the election), to be held on the.....day of....., A. D. 19...., for the county of..... (or city of.....), will expire at 6 o'clock p. m., on the.....day of....., A. D. 19.... The publication of said notice shall continue until the expiration of the time provided for said registration; *provided*, that in remote or new and sparsely settled districts written notices posted at not less than five conspicuous places within said district may be substituted for the publication in a newspaper.

*Voter to Take Oath—Form of Oath.*

Voter to  
take oath

SEC. 14. Every person applying to be registered shall, before he shall be entitled to have his name registered, take and subscribe the following oath, or affirmation, which shall be administered by the registry agent, to wit:

Form of  
oath

"I do solemnly swear (or affirm) that I am a citizen of the United States, that I am of the age of twenty-one years, and will have continuously resided in this state six months, and in the county thirty days next preceding the day of the next ensuing election (or, in case of a municipal election, such length of time as may be required by the act of incorporation), that before coming to the State of Nevada I last resided at....., in the State of..... (designating such place of residence), that upon first coming to the State of Nevada I resided at....., in said state (designating such place of residence), and that I am not registered elsewhere in this state.



So help me God (or under the pains and penalties of perjury)."

Whenever an oath is required by the provisions of this act, the elector shall swear according to the form of his religious faith or belief and in such manner as may be considered most obligatory on his conscience.

*Oath Required of Elector, When.*

SEC. 15. When any person shall appear and demand to be registered, whom the registry agent shall not know to be entitled to registry, under the qualifications required by law for the election then ensuing, the registry agent may question the applicant generally, either under oath or not, as to his qualifications as an elector, and, if satisfied, shall enter his name on the registry. But if the registry agent shall not be fully satisfied, or if the applicant be challenged by a qualified elector of the county, stating distinctly the grounds of challenge, the registry agent shall require the applicant to answer truly, under oath or affirmation, the following questions, together with such other questions as said registry agent may consider necessary and proper, testing his qualifications as an elector for the ensuing election, to wit:

Oath  
required of  
elector, when

First—Are you a citizen of the United States?

Form of  
questions

Second—Are you now or will you be twenty-one years of age on or prior to the day of the next ensuing election?

Third—On the day of the next ensuing election will you have actually and not constructively resided in this state six months, and in this county thirty days (or in this city..... days or.....months, as provided by the act of incorporation) next preceding the day of said election?

Fourth—Are you now a resident of the election district in which you propose to be registered?

Fifth—Are you registered for this electoral year in any other election district in the name you have now given, or in any other name?

If any of the foregoing questions shall be answered in the negative except the fifth, or that in the affirmative, the applicant shall not be registered; but if the applicant answer all the foregoing questions in the affirmative, except the fifth, and that in the negative, and the registry agent shall still believe, from the answers to such further questions that he may be led by circumstances to ask, that the applicant is not a qualified elector, he shall refuse to register the name of said applicant. But such applicant may then apply to the district court of his district, or the judge thereof, for a writ of mandamus to compel the proper registration of his name in such election district; and any elector may also apply to the district court of his district, or the judge thereof, for a writ of mandamus to compel the registry agent to erase from the registered list of electors the name of any person therein registered whom the applicant may know and be able to prove is not a qualified elector; *provided*, that said registry agent shall

Registry  
agent may  
refuse regis-  
tration, when

District court  
to decide  
promptly

have notice and opportunity to be heard before said court, or the judge thereof, and show cause for his refusal. For the purpose of deciding contested questions of registration, the district judges of the various judicial districts shall hold court or sit in chambers at least one day in each county of their respective districts during the ten days immediately preceding any general election, during which days cases of contested registration shall take precedence of all other business before such judges or courts. All such cases shall be decided within forty-eight hours after being submitted, and every case shall be decided before the day of election. The electoral year shall commence on the first day of January and end on the thirty-first day of December of each year. Whenever in the same electoral year there shall be held in any township more than one election, general, primary, special, or municipal, any person registered for any one of such elections shall be deemed registered for all subsequent elections in the same year for which the residence qualification is included in or implied by the residence qualification of the previous election, and in all cases registration for a primary, special, or municipal election shall be deemed registration for any succeeding general election in the same year. The person so deemed registered shall be subject in all cases to be excluded from the registry by reason of the change of residence or other causes, as provided elsewhere in this act.

Registration  
may be  
gained  
without  
personal  
appearance,  
how

SEC. 16. Any person entitled to be registered may apply to his proper registry agent, to be registered without personal appearance before the registry agent. Upon receipt of a request from any such person, the registry agent shall furnish him by mail, or otherwise, a blank to be filled out by such applicant for registration. Such blank shall contain the usual headings of the official register and shall also contain a certificate, to be signed by the applicant for registration, that he is a qualified voter of the state, that he is entitled to registration, that he is not registered in any other election precinct in this state, that he makes this certificate for the purpose of being placed on the registration list, and that the entries upon the blank are in his own handwriting. These said blanks shall also contain a certificate, to be signed by two qualified electors of the county, that they know the applicant for registration is entitled to be registered by the registry agent in the precinct in which he is applying for registration. The making of a wilful false certificate provided for in this section shall be a misdemeanor and punishable as now provided by law for the punishment of misdemeanors.

False  
certificate  
a misde-  
meanor

Registry  
agent to  
place name  
of applicant  
by mail on  
register

SEC. 17. Upon the receipt by mail, or otherwise, of any such blank form properly filled out and certified as herein provided, prior to the time for the close of registration, the registry agent shall place the name of such applicant upon the official register and shall carefully preserve all such blank forms which shall have been presented to him by applicants

for registration and who shall have been registered by him as herein provided.

*Naturalized Citizens, How Qualified.*

SEC. 18. When a naturalized citizen shall apply for registration, his certificate of naturalization must be produced and stamped or written in ink by the registry agent, with his name and the year and county where presented; but if it shall satisfactorily appear to the registry agent, by the oath or affirmation of the applicant (and the oath or affirmation of one or more credible citizens, as to the credibility of such applicant, when deemed necessary), that such certificate of naturalization is lost or destroyed, or beyond the reach of the applicant for the time being, said registry agent shall register the name of the applicant, unless he be by law otherwise disqualified; *provided*, that in case of failure to produce the certificate of naturalization, the registry agent shall propound to him the following questions:

Naturalized citizen, how registered

First—In what year did you come to the United States?

Form of questions

Second—In what state, county, court and year did you declare your intention to become a citizen?

Third—In what state, county, court and year were you finally admitted to citizenship?

Fourth—Where did you last see your certificate of naturalization?

The answers to the above questions shall be taken down in the form of an affidavit, which shall be subscribed and sworn to by the applicant and retained in possession by the registry agent, and by him handed over to his successor; *provided*, that no person shall be required to make the affidavit twice before the same agent, or successor of such agent, having in his possession a former affidavit.

*Registry Agent to Publish Names of Voters—Challenge, How Made and Disposed Of.*

SEC. 19. On the day next succeeding that on which the registration of electors, prior to any election, mentioned in this act shall have been closed, the registry agent shall, with all reasonable expedition, prepare, and cause to be written or printed a full and complete list of all the names registered by them, and then remaining on the official register, for each election district, alphabetically arranged, commencing always with the surname of each; and they shall have printed or written such reasonable number of copies of each district list as in their judgment may be necessary, at least five copies of which they shall cause to be posted up in as many public and conspicuous places within the district to which they apply, and the remainder of such lists shall be distributed among the electors of the respective districts. The registry agents shall give notice in said lists that they will receive objections to the right to vote, on the part of any person so registered, until six o'clock p. m. on the tenth day previous to the day of election, and also requesting all persons whose names may

Registry agent to publish names of voters; challenge, how made and disposed of

Registry agent to publish names of voters; challenge, how made and disposed of

be erroneously entered in said lists to appear at his office and have such error corrected. Such objections to the right to vote shall be made only by a qualified elector in writing, setting forth the ground of the objection or disqualification, and sworn to, or affirmed to, to the best of his knowledge and belief. A copy of such written objections, with the name of the objector, together with a copy of notice, requiring the person objected to to appear before the registry agent at a time certain and specified therein, and answer under oath such questions as may be propounded to him by the registry agent touching his qualifications as an elector, shall be served on the person objected to, and such service shall be good when left at the place of residence of such person objected to, as the same shall appear in the official register, however general or indefinite may be the description of the same in said register. And no such objection shall be tried unless it shall appear by the return of an officer, or the sworn statement of an elector within the county, appended to such notice, that such objections and notice were by him duly served by copy, as in this section of this act required. At the time specified in the notice, or at such further time as the hearing may be adjourned to, the registry agent, upon being satisfied from the return or affidavit that proper service of notice has been had, as in this section provided, shall proceed to examine such person (if present), under oath, touching all matters specified in such written objections, and respecting his general qualifications as an elector, and the testimony of the person making the objections, and any further evidence offered (which the registry agent before whom objections are made may desire to hear in relation thereto). If the registry agent shall be satisfied, from the answers under oath of the person objected to, or other evidence, that he is not a qualified elector, as required by law, for the next ensuing election, or if such person, so notified as hereinbefore provided and required, shall fail to appear at the time set, or shall fail to show cause for his nonappearance, it shall be the duty of the registry agent to erase his name from the official register; *provided*, that any person whose name may have been so erased, may apply to the district court or the judge thereof, as is provided in section six of this act; *provided further*, for a refusal of any registry agent to perform his duties as registry agent, he shall, on conviction thereof, before a court of competent jurisdiction, be punished by a fine of not less than thirty dollars nor more than one hundred dollars, or by imprisonment not less than fifteen nor more than fifty days, or by both such fine and imprisonment.

*Registry Lists Printed, When.*

Registry lists printed, when

SEC. 20. Whenever any board of county commissioners shall deem it necessary to have printed copies of the names upon the register of voters in any election precinct, said board shall cause said list to be printed in such manner, and for

such time, in a newspaper or otherwise, as they may deem best calculated to give notice to the public of the names so registered, and shall cause copies thereof to be forthwith furnished to the registry agent of said precinct for posting; *provided*, Proviso that no registry list shall be printed at the charge or expense of a county, and no board of county commissioners shall allow, or auditor approve, any claim therefor, in whole or in part, unless said printing shall have been done at the instance and order of said board; *and provided further*, that in no case shall the whole amount allowed by said board, approved by the auditor, or paid by the county for printing any registry list, exceed the sum of fifteen cents for each name upon said list and printed.

*Copies of Register and Check-Lists To Be Furnished.*

SEC. 21. During the time intervening between the closing of any registration of electors and the day of the next ensuing election, the registry agents shall carefully copy from the official register, into suitable books, one for each election district within their respective townships, the names of all electors registered for such election district, alphabetically arranged (the surname first), entering opposite each name the number it bears on the official register, together with all other entries therein found opposite such name. The registry agent shall also prepare, not later than the day next preceding that on which the election is to be held, in "index books," one for each election district, and which shall be known as the "check-list," lists of the names of all electors found on the official register for such election districts, alphabetically arranged (the surname first), with the number such name bears in the official register placed at the left of the name of the elector, and with a blank column at the right of the column of names, formed by two parallel perpendicular lines, in which the inspectors of election shall check the names of all those voting, by some particular character, as for instance, thus "V" for voted. Said blank columns last mentioned shall have written "headings" made by the registry agents, showing what particular election said "check-lists" apply to, as for instance, "voted at general election, 1868," or "voted at city election, 1869." The copy of the official register, together with the "check-list," for each election district, as herein provided, shall be carefully prepared and duly certified to by the registry agent, and delivered to some one of the inspectors of election, in each election district, at a time not later than the day next preceding that on which such election is to be held, and such "check-lists" shall be carefully preserved and transmitted by the inspectors of election to the clerk of the Board of county commissioners, in connection with and as a part of the "election returns," as provided by law. Copies of register and check-lists to be furnished

*Transfers—Certain Electors Given Certificates Entitling Them to Vote in Choice of Precincts Under Certain Conditions.*

SEC. 22. Any registered elector, moving from one election



Transfers;  
certain elec-  
tors given  
certificates  
entitling  
them to vote  
in choice of  
precincts  
under certain  
conditions

district to another, prior to the day of the ensuing election, may apply to the registry agent before whom he has already been registered for that electoral year, at any time prior to the delivery of the certified copies of register to the inspectors of election, and have his name taken off the official register, and receive from the registry agent a certificate showing substantially that he was on a certified date duly registered in the official register of Township No....., in the county of....., and that his name has been erased at his own request; which certificate shall entitle him to have his name registered in the same manner as other names are registered, in any other election district either within the same county or any other county, for said election; *provided*, that it shall satisfactorily appear to the registry agent receiving the certificate, and to whom application is made for the second registration, that the applicant will have resided such length of time within such county and election district, prior to the next ensuing election, as is or may be provided by law to entitle him to vote. Any registered elector employed in moving trains, stages, mails, or otherwise upon any of the transportation routes in this state may apply to the registry agent before whom he has been already registered for that electoral year, at any time prior to the delivery of the certified copy of the register to the inspectors of election, and have his name taken off the official register and receive from the registry agent a certificate as above provided. Upon presenting, at any time not later than one hour prior to the closing of the polls, to the inspectors of election, in any precinct on the railroad, stage line, or transportation route on which he is employed, including the precinct in which he originally registered, the certificate mentioned above, and his written affidavit, which may be subscribed and sworn to before any of the inspectors of election, or any officer authorized to administer oaths, stating that he was so suddenly called away or detained by the transportation business in which he is employed that he did not have time to vote in the precinct in which he was originally registered, or to reregister under his transfer in that or any other precinct before the delivery of the certified copy of the register to the inspectors of election, the inspectors of election shall accept and file the certificate and affidavit and shall cause the name of the elector to be entered upon the certified copy of the register and the check-list under the designation "Electors allowed to vote upon presentation of certificate and affidavit on election day," and shall thereupon allow the elector to vote, the same as if his name had originally appeared upon the register, or certified copy thereof, and check-list.

#### *Oath of Registry Agents.*

Oath of  
registry  
agents

SEC. 23. Before entering upon the duties prescribed in this act, the registry agents (excepting justices of the peace who have been duly qualified) shall severally take and subscribe before an officer duly authorized to administer oaths the fol-



lowing oath or affirmation, which shall be filed in the office of the county clerk of their respective counties, to wit:

I, ....., registry agent for election districts numbers .....and....., in the county of....., and state of Nevada, do solemnly swear (or affirm) that I will perform all the duties of registry agent in and for said election districts according to law and the best of my ability, and that in the discharge of my duties as such registry agent I will honestly endeavor to prevent fraud, deceit, or any other manner of abuse of the elective franchise, so help me God (or under the pains and penalties of perjury).

Form of  
oath

*Compensation of Registry Agents.*

SEC. 24. The several registry agents shall be entitled to receive, as full compensation for all services rendered by them under the provisions of this act the sum of twenty-five cents for each name by them legally registered in each electoral year, which shall be a valid claim against their respective counties; and their accounts shall be made out so as to clearly show the number of names by them severally registered during the electoral year, and sworn to and filed with the board of county commissioners of their respective counties; and said claims, together with all other just and reasonable demands of other persons for books, advertising, and printing, necessarily incurred in carrying out the requirements of this act, shall be audited and paid out of the county funds of the several counties as other county charges; *provided*, that the expenses incurred in publishing the notices and printing the lists of electors prior to any municipal election, shall be charged against and shall be paid by the corporate authorities of the municipality holding such election.

Compensa-  
tion of  
registry  
agents

*Registry Agents to File Complete List of Voters with County Clerk.*

SEC. 25. It shall be the duty of each and every registry agent, before receiving pay for his services as such, to send the county clerk of the county wherein he is serving a full and complete list of the registered voters in his precinct, with their ages and postoffice address.

Registry  
agents to file  
complete list  
of voters  
with county  
clerk

*County Clerk to Forthwith Certify Said Lists by Precincts to Secretary of State.*

SEC. 26. It shall be the duty of each and every county clerk throughout the state upon receiving the said list of registered voters from the different registry agents of the different precincts in each county, to furnish forthwith a certified copy of said registry list, containing the names and postoffice address of the said registered voters in each and every county, by precincts, to the secretary of state, who shall upon receipt file the same in his office.

County clerk  
to forthwith  
certify said  
lists by pre-  
cincts to  
secretary  
of state

*Death of Registry Agent—Duties of County Commissioners.*

SEC. 27. It shall be the duty of the chairman of the board of county commissioners of any county in this state upon

Death of  
registry  
agent; duties  
of county  
commis-  
sioners

receiving notice from any responsible citizen of the death or resignation of any registry agent in his county after the opening and prior to the closing of the books of registration, to immediately, without giving notice, appoint some competent person to fill such vacancy.

*Must Qualify.*

Must qualify

SEC. 28. It shall be the duty of such person so appointed to qualify within two days after receiving notice of such appointment.

*Voters May Register Elsewhere in County.*

Voters may  
register else-  
where in  
county

SEC. 29. In case of the failure of such persons so appointed to qualify within the time herein provided, voters may, upon producing evidence, as to their right to vote, be registered at any other precinct in said county.

*Legal Voter, When Considered.*

Legal voter,  
when con-  
sidered

SEC. 30. Any person so registered shall, upon presentation and surrender of a certificate of registration, signed by the registry agent of said precinct, be considered a legal voter in any precinct of said county in which he is otherwise entitled to vote.

*Name Must Be on Check-List.*

Name must  
be on check-  
list

SEC. 31. No person shall be entitled to vote at any election mentioned in this act unless his name shall, on the day of election, appear in the "check-list" furnished by the registry agent to the inspector of election of the election district at which he offers to vote and the fact that his name so appears in the "check-list," and in the copy of the official register in the possession of the inspectors of election, shall be *prima facie* evidence of his right to vote; *provided*, that when the inspectors of election shall have good reason to believe, or when they shall be informed by a qualified elector, that the person offering to vote is not the person who was registered in that name, the vote of such person shall not be received until he shall have proved his identity as the person who was registered in that name.

For incorpo-  
rated cities  
with 2,000  
votes

SEC. 32. The provisions of sections 33 to 38 of this act shall apply only to the registration of electors in any incorporated city within this state polling more than 2,000 votes at the last preceding general election, and are intended to be supplemental to the preceding sections of this act providing for the registration of the names of electors.

Necessary  
books and  
stationery  
must be  
provided by  
county com-  
missioners

SEC. 33. The county commissioners of the several counties shall provide for the registry agents, as now constituted by law, in their respective counties, when and where required, all proper and necessary books and stationery to carry out the provisions of this act. They shall furnish to each registry agent whose duty it is to register the electors in any incorporated city within the state, polling more than two thousand votes at the last preceding general election a book to be known

as the "Official Register," which shall be ruled in columns of suitable dimensions to provide for the following entries opposite the name of each elector, to wit:

Official register for cities of 2,000 votes

First—Number on the register.

Second—Date of registry.

Third—Name of elector.

What register must exhibit

Fourth—Age and sex of elector. (Age may be given as over 21.)

Fifth—Where born.

Sixth—Number of ward or name of electoral district.

Seventh—Description of residence.

Eighth—Certificate of naturalization exhibited.

Ninth—Signature of the elector.

Tenth—Number of identification statement.

Eleventh—Designation of politics, as prescribed in section 11.

Each column shall be so marked by printed or written words at the top thereof on each page of such official register as to indicate the nature of the entries to be made therein. Such official register shall be in such number of volumes as shall equal the number of voting or polling places in such incorporated city.

*Signature of Elector—Questions To Be Answered by Elector Unable to Write.*

SEC. 34. In registering electors in any such incorporated city as mentioned in section 32 of this act, it shall be the duty of the registry agent to make the appropriate entries in each column of such official register, except in the ninth column, and in said ninth column it shall be the duty of the registry agent to procure from the elector his signature by having the elector sign therein his name in ink or indelible pencil; and the elector shall, with his own hand and without assistance, using an indelible pencil or ink, sign his name; *provided*, that if the elector alleges his inability so to sign, the registry agent shall read to the elector the following questions from a book to be furnished by the county commissioners and to be known as "Identification Statements for Registration Day," and said registry agent shall write down in said book the answers of the elector to said questions, each answer being written after the question to which it is an answer. Said questions so read shall be the following:

Signature of elector; questions to be answered by elector unable to write

What is your name?

What is or was your father's full name?

What is or was your mother's full name?

What is your occupation?

What is the name of your present employer?

If unemployed, what is the name of your last employer?

Where is or was his place of business?

Are you married or single?

Form of questions

Where did you actually reside immediately prior to taking up your present residence?

Affidavit

At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named elector each of the foregoing questions and that I have truly recorded his answers as above to each of said questions," and said registry agent, who has made the above record, shall forthwith sign his name to said certificate and date the same.

The above questions shall be printed on separate sheets of paper which shall be furnished said registry agent, bound together in book form and numbered consecutively, and the number corresponding to the number on each sheet, containing said list of questions shall be entered, when questions have been answered, in the tenth column in the official register of electors. Said book of identification statements shall be kept at all times by the registration agent or other proper officer or officers with the said official register.

*Questions and Answers Transmitted to Election Board.*

Questions  
and answers  
transmitted  
to election  
board

SEC. 35. Each of said registration agents shall cause such registrations of electors and said questions for identification to be so kept that the same shall be in form to be transmitted to the inspectors of elections, and all the electors registering shall be classified according to the polling or voting places at which they are each respectively entitled to vote, and all electors entitled to vote at any particular polling-place in the same book, or have the questions put to them recorded in one book or bound together in such manner as the registry agent shall determine, and no electors entitled to vote at different polling-places shall be registered in the same book. And no change shall be made in polling-places which in any wise interferes with the purpose of this act.

*Original Official Register Delivered to Election Board.*

Original  
official regis-  
ter delivered  
to election  
board

SEC. 36. In addition to the books now required by law to be delivered by registry agents to the inspector or inspectors of elections, the registry agent shall deliver not later than the day preceding that on which the election is to be held, to some one of the inspectors of election in each polling or voting place in any such incorporated city, the original official register containing the names and original signatures of all electors registered and entitled to vote at such polling-place, together with the original or true and certified copies of the identification statements for all electors entitled to vote at such polling-place, if any there be.

*Oath to Swear in Vote, When.*

SEC. 37. If any elector registered under the provisions of this act shall transfer to any other incorporated city mentioned in section 1 thereof, or if any duly registered elector shall transfer to any such incorporated city, after the closing of registration, and shall demand his right to vote at the

election, and shall, by reason of such transfer, not be able to be identified thereat by his signature taken at the time of registering as provided in the act, or by said identification statements, he shall, if his right to vote be challenged or questioned, before being given a ballot, prove to the satisfaction of the inspector or inspectors of election, by the oath of two qualified electors, that he is the same person who so registered in said other voting precinct and has been transferred and is mentioned in said certificate of transfer, which oath shall be reduced to writing and by the elector subscribed and sworn to before one of the inspectors of election, who shall also sign his name thereto in a book to be known as the "Transfer Book," which shall be kept in the same manner as the other election books.

*Signature of Voter at Polls, When—Identification Certificate.*

SEC. 38. At any and all elections hereafter to be held in any such incorporated city, if any person except as provided by section 5 demanding the right to vote shall be challenged, or his right to vote be questioned, he shall, before receiving a ballot, sign his name by his own hand and without assistance, using an indelible pencil or ink, in a book provided by the inspector of elections and to be known as the "Signature Book" and to be so labeled in printed or written words in ink, together with the name and description of the polling-place. If the elector on election day alleges his inability to so sign, then one of the election clerks, to be designated by the chairman of the election board or chairman of the inspectors of elections, if there be a chairman, if not then by any inspector of elections for such polling-place, shall read the same list of questions to the elector as were required to be read at the time of registration from a book to be provided for election day, and to be known as "Identification Certificates for Election Day," and said clerk shall write the answers of the elector thereto. Each of these questions shall be numbered, and a number corresponding to the number on the statement sheet shall be entered opposite the name of the elector in the index book now provided for by law. The questions answered on registration day by the elector shall not be turned to until all the answers to said questions shall have been written down on election day by said election clerk. Any person who shall prompt a voter in answering any questions provided for in this act shall be guilty of a felony, and upon conviction shall be imprisoned in the penitentiary for not more than two years. At the bottom of each list of questions provided to be asked an elector on election day shall be printed or written the following statement: "I certify that I have read to the above-named elector each of the foregoing questions and that I have truly recorded his answers as above to each of said questions," and said election clerk who has made the said record shall sign his name to the said certificates and date the same, and note the time of day of making such record. The com-

Oath to swear in vote, when

Signature of voter at polls, when

Identification certificate

Certificate  
of clerk

parison of signatures of an elector made on registration and election days, or the comparison of the answers made by an elector on registration and election days shall be had in full view of watchers, and the right to challenge electors shall exist until the ballots shall have been deposited in the ballot-box. If the signatures or answers as the case may be, made upon registration day do not correspond, in the judgment of a majority of the inspectors of election, then the person so offering to vote shall not be entitled to a ballot. And that shall be the only test as to whether the person offering to vote is the same person who registered under the name offered to be voted by such person so offering to vote. No other identification of electors shall be necessary nor permitted.

### CHAPTER 3

#### NOMINATIONS FOR PUBLIC OFFICES

##### *Party Nominations.*

By con-  
ventions

SEC. 39. A candidate for public office may be nominated by conventions of party delegates or by primary elections as provided by law.

##### *Nominations by Petitions.*

By petitions;  
10 per cent of  
party vote at  
last election  
necessary

SEC. 40. A candidate for public office may be nominated otherwise than by a primary election in the manner following: A certificate of nomination shall be signed by electors residing within the district or political divisions for which candidates are to be presented equal in number to at least ten per cent of the entire vote cast at the last preceding election in the state, district, or political division for which the nomination is to be made; *provided*, that such certificate shall not be valid unless signed by five voters. Said signatures need not all be appended to one paper, but each signer shall add to his signature his place of residence. One of the signers of each certificate shall swear that the statements therein made are true, to the best of his knowledge and belief, and a certificate of such oath shall be annexed. Such certificate of nomination shall have the same effect as a nomination made by a primary election. The certificate of nomination as herein provided for shall state the name of the party or principle which the person nominated by petition of electors represents, but in so doing the name of no political party existing at the last preceding general election shall be used.

##### *Certificates To Be Filed, Where.*

Certificates  
to be filed,  
where

SEC. 41. Certificates of nomination of candidates for office to be voted for by the electors of the entire state shall be filed with the secretary of state. Certificates of nomination of candidates for all other public offices shall be filed with the clerks of the respective counties wherein the officers are to be voted for, and where a district embraces more than one county, such certificate shall be filed with the clerk of each of said counties.



*Certificates to Embrace, What.*

SEC. 42. No certificate of nomination shall contain the name of more than one candidate for each office to be filled. No person shall join in nominating, under the provisions of section 40 of this act, more than one nominee for each office to be filled, and no person who has voted in a convention, either in person or by proxy, for or against a candidate for any office, shall join in nominating, in any manner, any other nominee for that office, and no person shall accept a nomination to more than one office.

Certificates  
to embrace,  
what

*Certificates, When and Where Filed.*

SEC. 43. Certificates of nomination required to be filed with the secretary of state shall be filed not more than sixty days and not less than forty-five days before the day of election; *provided*, that the certificates of nomination of candidates nominated otherwise than by convention may be filed at any time between the second Monday in July and the first Tuesday in September preceding said election. Certificates of nomination required to be filed with the county clerks shall be filed not more than fifty nor less than thirty days before the day of election.

Certificates,  
when and  
where filed

*Vacancies, How Filled.*

SEC. 44. Should a vacancy occur, from any cause, in the list of nominees for any office, such vacancy may be filled any time before the day of election by the committee to which has been delegated power to fill such vacancies. The chairman and secretary of such committee shall make out and file with the proper officer a certificate setting forth the name of the person nominated to fill the vacancy, the office for which he is nominated, the name of the person for whom the new nominee is to be substituted, and such further information as is required to be given in an original certificate of nomination. When such certificate is filed, the officer with whom it is filed shall substitute the name of the person therein for the original nominee by printing, if practicable, or by writing the name of the person there substituted.

Vacancies,  
how filled

CHAPTER 4

GENERAL ELECTIONS

*When Held.*

SEC. 45. A general election shall be held in the several election precincts in this state, on the Tuesday next after the first Monday of November, one thousand nine hundred and sixteen, and every two years thereafter, at which there shall be chosen all such officers as are by law to be elected in such year, unless otherwise provided for.

General  
elections,  
when held

*Duties of County Commissioners—Precinct Established, How and When—Number of Voters in Precinct.*

SEC. 46. It shall be the duty of boards of county commis-

Duties of  
county com-  
missioners

sioners to establish election precincts and define the boundaries thereof, and to alter, consolidate, and abolish the same as public convenience or necessity may require; *provided*—

Precincts,  
how formed

First—That no new precinct shall be established except upon the petition of ten or more qualified electors, permanently residing in the district sought to be established, showing that they reside more than ten miles from any polling-place in said county, unless it shall appear to the satisfaction of said board that not less than fifty qualified electors reside in said precinct, in which event said precinct may be established without regard to the distance which said electors reside from another polling-place or precinct.

Ten voters  
required to  
hold pre-  
cincts

Second—That no election shall be held in any precinct in which there shall not be at least ten qualified electors, permanently residing therein at the time notice of holding election therein shall be given.

May vote  
in another  
precinct,  
when

Third—All qualified electors residing in any election precinct in which there are less than ten qualified electors permanently residing at the time notice of holding elections are given, shall be entitled to register and vote in the election precinct having a polling place nearest their residence, by the usual traveled route.

Precincts  
under 50  
votes must  
be one mile  
apart

Fourth—That no election precinct shall be established or election held at any place in any precinct within one mile of another voting place in the same county, unless there shall have been polled, at the said voting place, at the next preceding general election, not less than fifty votes.

No more  
than 400  
votes in one  
precinct

The several boards of county commissioners in the counties of this state in providing for and proclaiming election precincts shall so arrange and divide the voting places in the respective counties so that no greater number than four hundred voters shall vote in one precinct.

Commis-  
sioners to  
appoint elec-  
tion officers

It shall be the duty of said boards of county commissioners, at their first regular meeting in July preceding each general election (and fifteen days preceding each special election), to appoint three capable and discreet persons, possessing the qualifications of electors (who shall not be of the same political party), to act as inspectors of election at each election precinct; and the clerk of said board shall forthwith make and deliver to said inspectors personally, notice thereof in writing, or deposit the same in the postoffice, registered, and postage prepaid, directed to the registry agent of the precinct for which each of said inspectors is appointed, and it shall be the duty of said registry agents, within ten days after the receipt thereof, to serve the same upon each of said inspectors of election.

Sheriff to  
deliver poll-  
books and  
other sup-  
plies to  
inspector

*Sheriff to Deliver Poll-Books and Other Supplies to Inspector.*

SEC. 47. It shall be the duty of the board of county commissioners to cause their clerks to furnish the sheriff with poll-books and all other supplies required to be provided by said board of inspectors and clerks of election, and the clerk shall

at the same time deliver to the sheriff the ballot-boxes and keys, the official ballots, the sample ballots and printed instructions all together to one of the inspectors of every election precinct in the county, at least one day before the time of holding any election.

*Duties of Inspectors of Election—Penalty for Neglect.*

SEC. 48. If in any precinct any of such inspectors are unwilling to serve as inspectors they shall notify the board of county commissioners thereof within five days after the receipt of the notice of their appointment, who shall immediately appoint some suitable person to fill the vacancy and to serve at such election. A failure to notify the board of county commissioners of any unwillingness to serve as inspector, as herein provided, shall subject the person to a penalty of not less than ten nor more than one hundred dollars, to be sued for and recovered by said board of county commissioners, for the use of the county before any justice of the peace of such county. If, through any accident, sickness, or inability on the day of election, of such inspectors, or any one thereof, to serve, the inspector or inspectors present on the morning of the election may appoint some suitable person to fill the vacancy.

Duties of inspectors of election; penalty for neglect

*Duties of Inspectors of Election.*

SEC. 49. The said inspectors shall be and continue inspectors of all elections of civil officers to be held in their respective precinct, until other inspectors shall be appointed as hereinbefore directed; and the clerks of election may continue to act as such.

Duties of inspectors of election

*Election Officers To Be Sworn.*

SEC. 50. Previous to votes being taken, the inspectors and clerks of election shall, severally, take the prescribed official oath, and, in addition thereto, an oath or affirmation in the following form, to wit:

Election officers to be sworn

I, A. B., do solemnly swear (or affirm), as the case may be, that I will perform the duties of inspector (or clerk, as the case may be) of the election to be held this day, according to law and to the best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in any manner, in conducting the same. So help me God (or if an affirmation under the pains and penalties of perjury).

Form of oath

*Who May Administer Oaths.*

SEC. 51. In case there shall be no judge or justice of the peace present at the opening of the election, or in case such judge or justice shall be appointed inspector or clerk of the election, they are hereby empowered to administer the oath or affirmation to each other, and to the clerks of the election, and the person administering the oath or affirmation shall cause an entry thereof to be made and subscribed by him in the poll-books.

Who may administer oaths

*Opening and Closing Polls.*Opening and  
closing polls

SEC. 52. At all elections to be held under this act, the polls shall be open at the hour of 8 o'clock in the forenoon, and continue open until 6 o'clock in the afternoon of the same day, at which time the polls shall be closed; *provided*, whenever at any election all the votes of the precinct as shown by the registry list, shall have been cast, the inspectors shall immediately close the polls and shall forthwith begin the counting of the ballots, and continue the same without unnecessary delay until the count is completed. Upon opening the polls, one of the clerks, under the direction of the inspectors, shall make proclamation of the same, and thirty minutes before closing of the polls, proclamation shall be made in like manner that the polls will be closed in half an hour; *provided further*, if at the hour of closing there are any voters in the polling-place, or in line at the door, who are qualified to vote and have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to vote. But no one who shall arrive at the polling-place after 6 o'clock in the afternoon shall be entitled to vote, although the polls may be open when he arrives. No adjournment or intermission shall be taken except as provided in the case of election.

*Ballot-Boxes Furnished.*Ballot-boxes  
furnished

SEC. 53. There shall be provided and kept by the county commissioners of each county, at the expense of the county, a suitable ballot-box, with a lock and key, for each precinct, and they shall furnish the same to the inspectors of each election precinct or district within their county.

*Ballot-Boxes To Be Examined.*Ballot-boxes  
to be exam-  
ined

SEC. 54. There shall be an opening through the lid of each box of no larger size than shall be sufficient to admit a single folded ballot. Before opening the polls, the ballot-box shall be carefully examined by the inspectors of election, that nothing may remain therein; it shall then be locked and the key thereof delivered to one of the inspectors, to be designated by the majority thereof, and shall not be opened during the election, except in the manner and for the purpose hereinafter mentioned.

*Duties of Officers of Election.*Duties of  
officers of  
election

SEC. 55. It shall be the duty of the inspectors of election, at each poll, at every election, to have before them a certified copy of the register of voters of the precinct or district for which they are the inspectors provided by law; and the inspector to whom any ticket may be delivered shall, upon receipt thereof, pronounce with an audible voice the name of the person offering to vote, and another one of the inspectors shall examine the certified copy of the register, and if the name of the person is found thereon, his ticket shall be put in the ballot-box without being inspected. The name of the elector shall then be checked on the certified copy of the register, and the

clerks of election shall enter his name and number in the poll-book. No person shall be permitted to vote whose name is not on the register, and who shall refuse to comply with the requirements of section 57 of this act. Said register shall be to said inspectors of election conclusive evidence of the right of the person to vote whose name appears upon the same; *pro-* Proviso  
*vided*, that said inspectors of election may require any person to give true answers under oath or affirmation to all such questions as they may desire to ask touching the identity of the person with the name in or under which he may wish to vote; *provided*, that in all cases said ballots shall be printed on a good quality of white book paper.

*County Commissioners to Determine Number of Deputy Sheriffs to Serve at Election.*

SEC. 56. It shall be the duty of the board of county commissioners of the several counties of the state to determine the number of special deputy sheriffs to be appointed by the sheriff of the several counties to serve at each election precinct, for the purpose of preserving order and making arrests, to be paid as other fees. County commissioners to determine number of deputy sheriffs to serve at election

*Who May Challenge—Oath of Elector on Challenge.*

SEC. 57. A person offering to vote may be orally challenged by any elector of the precinct, upon the ground that he is not the person entitled to vote as claimed, or has voted before on the same day, in which the inspector or one of the judges shall tender him the following oath: "You do swear (or affirm) that you are the person whose name is entered upon the registry list of this precinct." In case such person refuse to take the oath so tendered, he shall not be allowed to vote, and the clerks of the election shall write the word "Challenged" opposite the name of each person challenged upon the register. Who may challenge; oath of elector on challenge

*Vote Canvassed, How.*

SEC. 58. As soon as the polls of election shall be finally closed the inspectors shall immediately proceed to canvass the vote given at such election; and the canvass shall be public and continue without adjournment until completed. Vote canvassed, how

*Vote Canvassed, When.*

SEC. 59. The canvass shall commence by a comparison of the poll-lists from the commencement, and a correction of any mistake that may be found therein, until they shall be found to agree. The box shall then be opened and the ballots contained therein taken out and counted by the inspectors, and opened so far as to ascertain whether each ballot is single; and if two or more ballots shall be found so folded together as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed; and if, on comparison of the count with the poll-lists and the appearance of such ballots, a majority of the inspectors shall be of the opinion that the ballots thus folded together were voted by one elector, they shall be rejected, and carefully sealed up in an envelope, Vote canvassed, when

upon which shall be written the reason for their rejection, and shall be signed by the inspectors; and placed back in the ballot-box, to be retained with the other ballots.

*Ballot-Box, How Purged.*

Ballot-box,  
how purged

SEC. 60. If the ballots in the box shall be found to exceed in number the whole number of votes on the poll-lists, they shall be replaced in the box, after being purged as above, and one of the inspectors, with his back turned to the box, shall publicly draw out and destroy therefrom so many ballots, unopened, as shall equal the excess.

*Duties of the Clerks of Elections.*

Duties of the  
clerks of  
elections

SEC. 61. The ballots and poll-lists agreeing, or being made to agree, the board shall then proceed to count and ascertain the number of votes cast, and for whom cast, and when completed the clerks shall set down in their poll-books the name of every person voted for, written at full length, the office for which such person received such votes, and the number he did receive, the number being expressed in writing at full length, and also in figures; such entry to be made, as nearly as the circumstances will admit, in the following form, to wit:

Form of  
certificate

At an election held at the house of A. B., in the town (or precinct) of....., in the county of....., and the State of Nevada, on the.....day of....., A. D....., the following-named persons received the number of votes annexed to their respective names for the following-described offices, to wit:

A. B. had.....votes for member of Congress.

C. D. had.....votes for state treasurer.

E. F. had.....votes for state controller.

G. H. had.....votes for state superintendent of public instruction.

I. J. had.....votes for member of state senate.

K. L. had.....votes for member of the assembly.

(And in like manner for any person voted for.)

Certified by us:

M. N.,

O. P.,

Q. R.,

*Inspectors of Election.*

Attest:

A. B.,

C. D.,

*Clerks of Election.*

The vote for and against any question submitted to the electors shall be certified and returned in the same manner.

*Disposition of Ballots After Canvass—Disposition of Returns and Ballot-Box.*

Disposition  
of ballots  
after canvass;  
disposition of  
returns and  
ballot-box

SEC. 62. The inspectors shall file the ballots on a string, enclose and seal the same, together with one of the tally-lists and one of the poll-books, under cover, directed to the clerk of the board of county commissioners of the county in which such election was held, or such other officer as is herein pro-



vided, indorsed "Election Returns"; *provided*, that if said clerk of the board of county commissioners, as county clerk, or any one of the following-named county officers was voted for office at the last election, he shall not be the custodian of such election returns, but such returns shall be directed and delivered to the county officer who was not a candidate and voted for office in the following order: Second—The county recorder. Third—The county treasurer. Fourth—The county assessor. Fifth—The chairman of the board of county commissioners. Sixth—One of the county commissioners. And said custodian shall comply with the provisions of section 70 of this act. The packet thus sealed shall be forthwith conveyed by one of the inspectors or clerks of election, to be determined by lot, if they cannot otherwise agree, or by some person to be agreed upon by the inspectors, and delivered to said clerk of the board of county commissioners, or the county officer as herein provided, at his office. The poll-book, tally-list, certified copy of register, ballot-box and ballots thus enclosed and sealed shall after the canvass of the votes by the board of county commissioners, be deposited in the office of the board of county commissioners, and preserved until the next general election. The other poll-books and tally-lists shall be deposited with one of the inspectors of election, to be determined by lot, if not otherwise determined, agreed upon, and said poll-book or tally-list deposited with the board of county commissioners, shall be subject to the inspection of any elector, at any time thereafter, who may wish to examine the same; *provided, however*, that the ballots so deposited with the board of county commissioners shall not be subject to the inspection of any one, except in cases of contested elections, and then only by the judge, body, or board before whom such election is being contested.

*Duties of Inspectors of Election.*

SEC. 63. In precincts which are by the usually traveled route more than fifty miles distant from the county-seat, and wherein less than fifty voters shall be registered for that election, the inspectors shall, before they adjourn, post conspicuously at the polling-place a bulletin signed by each of them, stating the number of ballots cast for each candidate and for and against each question which has been voted upon.

*Rejected Ballots Counted on Separate Tally-Sheet—To Be Posted.*

SEC. 64. Before the close or final adjournment of any board of election in any voting precinct in this state, the inspectors shall canvass and count any and all ballots rejected by them, on a separate tally-sheet, in the same manner as legal ballots are now canvassed and counted, and transmit said sheet to the board of county commissioners in the ballot-box or by mail as provided in section 66, with the other papers and documents, and the result of the vote cast for any and all

Proviso

Duties of  
inspectors  
of election

Rejected  
ballots  
counted on  
separate  
tally-sheet

Result of  
election to  
be posted

candidates, and on any and all questions submitted, so far as can be determined, shall be posted immediately thereafter in some conspicuous place on the building in which the election is held, a duplicate copy of which shall be placed in the ballot-box with the other election returns and papers, to the board of county commissioners, and the county clerk shall keep a record of the same.

*Unlawful for Inspector to Put Mark on Ballot—Exception.*

Unlawful for  
inspector to  
put mark  
on ballot;  
exception

SEC. 65. It shall be unlawful for any clerk or inspector of election to place any mark whatsoever upon any ballot other than a "spoiled" ballot; *provided, however*, that when such clerks or inspectors of election shall reject a ballot for any alleged defect or illegality, it shall be the duty of such inspectors of election to certify over their signatures upon the back of each and every ballot rejected that such ballot or ballots were in fact rejected, and briefly stating their reasons therefor.

*Dispositions of Ballots, Poll-Books, and Tally-Lists.*

Disposition  
of ballots,  
poll-books,  
and tally-  
lists

SEC. 66. They shall also, in precincts mentioned in section 63, before they adjourn, seal the ballots in a strong envelope, writing across the back thereof the words, "Ballots (here give the name) Precinct," and also sign the names thereon. They shall then place the envelope containing the ballots, together with one of the tally-lists and one of the poll-books, in a sealed package, the weight of which, including the wrapper or box, must be less than the limit of weight allowed to be transmitted by mail. They shall then address the same to the proper officer at the county-seat, stating in writing on the outside of the package the contents thereof, and deliver it to one of their number, to be chosen by lot, who shall immediately, without opening it or permitting it to be opened, deliver it to the nearest postmaster and pay the postage thereon, and have the package registered.

*Expenses, How Paid.*

Expenses,  
how paid

SEC. 67. The inspector who delivers the package shall be paid the amount expended by him in paying the postage on the package, and fifteen cents per mile for going to and fifteen cents per mile for returning from the postoffice, in the same manner and out of the same fund as other election expenses are paid; *provided*, that no such mileage shall be paid unless the total distance necessarily traveled in going and returning be greater than two miles.

*Custody of Ballots.*

Custody of  
ballots

SEC. 68. In cases where section 63 of this act shall apply, the ballots shall, after they reach the county-seat, be kept in sealed packages by the proper officer, instead of in the ballot-boxes.

*Custody of Ballot-Box.*

SEC. 69. In precincts mentioned in section 63, the ballot-

box may remain in the custody of the inspectors until the next election, when it shall be turned over to the inspectors of said election, and in such cases the tally-lists, poll-books, and other books and papers may be sent in sealed packages by registered mail to one of the inspectors. Custody of ballot-box

*County Commissioners to Canvass—Tie—Recount—New Election, When.*

SEC. 70. On the tenth day (or if that day shall fall on Sunday, then on the Monday following) after the close of any election, or sooner, if all the returns be received, the board of county commissioners shall proceed to open said returns and make abstracts of the votes. Such abstract of votes for United States senator and for member or members of Congress shall be on one sheet; the abstract of votes for presidential electors shall be on one sheet; the abstract of votes for members of the legislature shall be on one sheet; and the abstract of the votes for district and state officers shall be on one sheet; and the abstract of votes for county and township officers shall be on one sheet; and the abstract of votes upon any questions shall be on one sheet. And it shall be the duty of the board of county commissioners to cause a certificate of election to be made out by the respective clerks of said board of county commissioners to each of the persons having the highest number of votes for members of the legislature, district, county, and township offices, respectively, and to deliver such certificate to the person entitled to it on his making application to said clerk at his office; *provided*, that when a tie shall exist County commissioners to canvass between two or more persons for the senate or assembly, or any other county, district, or township officer, any of said persons shall have the right to demand of the board of county commissioners a recount of all the ballots cast for them for the office Tie for which they were candidates; *and provided further*, that if after said recount has been had, the vote between them or any of them shall still remain a tie, the board of county commissioners shall order their clerk to give notice to the sheriff of the county who shall immediately advertise another election, giving at least ten days notice. Recount And it shall be the duty of the said clerk of said board of county commissioners of said county, on the receipt of the return of any general or special election to make out his certificate of election; stating therein the compensation to which the inspectors and clerks of election may be entitled by law for their services and lay the same before the board of county commissioners at their next session; and the said board shall order the compensation aforesaid, if correct, to be paid out of the county treasury. New election, when

*Penalty for Malfeasance—Canvass for State Officers.*

SEC. 71. The board of county commissioners, after making the abstract of votes, as provided in section 70, shall cause their clerk, by an order made and entered in the minutes of their proceedings, to make a copy of said abstract, and forth- Penalty for malfeasance

with transmit the same to the secretary of state at the seat of government. If the board of county commissioners shall neglect or refuse to make the order, as required by this act, they, and each of them, shall be guilty of a misdemeanor in office, and shall on conviction thereof, be liable to a fine of not less than one hundred dollars, nor more than five hundred dollars, each, and imprisonment in the county jail for not less than ten and not more than one hundred days each, or both such fine and imprisonment, and shall be removed from office. And on the third Monday of December succeeding such election, the chief justice of the supreme court and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, and shall open and canvass the vote for United States senator and members of Congress, district and state officers; and for and against any questions submitted. The governor shall grant a certificate of election to and commission the persons having the highest number of votes and shall also issue proclamations, declaring the election of such persons. But in case there shall be no choice, by reason of any two or more persons having an equal and the highest number of votes for the same office, the senate and assembly shall convene in the assembly chamber, on the second Monday of February, at the next regular session of the legislature after such election, and by joint vote of both houses, elect one of said persons to fill said offices; *provided*, when an election for electors of president and vice-president of the United States takes place, the vote thereof shall be canvassed at the same time and in the manner aforesaid.

Canvass for  
state officers

*Information, How Treated.*

Information,  
how treated

SEC. 72. No certificate shall be withheld on account of any defect or informality in the returns of any election, if it can with reasonable certainty be ascertained from such returns what office is intended and who is entitled to such certificate; nor shall any commission be withheld by the governor or board of county commissioners on account of any such defect or informality of any returns made to the office of the secretary of state or to the board of county commissioners.

*Messengers May Be Employed, When and by Whom.*

Messenger  
may be  
employed,  
when and  
by whom

SEC. 73. If the returns of the election of any county in the state shall not be received at the office of the secretary of state on or before said third Monday of December succeeding such election, the said secretary may forthwith send a messenger to the clerk of the board of county commissioners of such county, whose duty it shall be to furnish said messenger with a copy of such returns, and the said messenger shall be paid out of the treasury of such county the sum of twenty cents for each mile he shall necessarily travel in going to and returning from said county. Whenever it shall be necessary, in the opinion of the board of county commissioners, to employ a messenger to convey the returns to the seat of government, and deliver them to the secretary of state, the person perform-

ing such service shall also be entitled to receive, as compensation, mileage at the rate of twenty cents per mile, computing the distance from the county-seat to the seat of government by the usual traveled route.

*Duties of County Commissioners.*

SEC. 74. When two or more counties are united in one senatorial, representative, or judicial district for the election of any officers, the board of county commissioners of each county shall canvass the votes, according to law, of the voters of their respective counties for said officer or officers; and the commissioners of the county whose initial is the lowest on the alphabet shall transmit to the commissioners of the county of the highest initial a copy of the abstract of the votes for such officer or officers, when the said last commissioners shall make a final abstract and aggregate of said votes, and shall proceed to cause to be issued certificates of election, and otherwise to act as is provided in this and the two preceding sections.

Duties of  
county com-  
missioners

*Duties of County Clerks in Transmitting Returns.*

SEC. 75. Whenever the returns are required to be transmitted by one clerk of the board of county commissioners to the secretary of state, it shall be the duty of such clerk, if not otherwise directed by the board of county commissioners, to deliver the same to some postmaster of the county, at the post-office, to be transmitted by mail, taking from such postmaster, if it can be obtained, a certificate setting forth the time when such reports were deposited in the postoffice, which certificate the clerk shall file in his office. If the clerk of the board of county commissioners should neglect or refuse to make out and transmit the returns or abstract, as required by this act, he shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof, shall be fined in any sum not less than one hundred dollars, or more than five hundred dollars, and imprisonment in the county jail for not less than one month, or more than six months, or both such fine and imprisonment, in the discretion of the court, and shall be removed from office.

Duties of  
clerks in  
trans-  
mitting  
returns

*Per Diem of Inspector and Clerk of Election—Mileage of Messenger.*

SEC. 76. There shall be allowed out of the county treasury of such county to each inspector and each clerk of election five dollars per diem, but in no case to exceed twenty dollars for all services required by law to be performed by each of them at any one election. And to the person carrying the poll-books from the place of election to the clerk's office the sum of fifteen cents per mile for going and fifteen cents per mile for returning, to be paid out of the county treasury.

Per diem of  
inspector  
and clerk  
of election;  
mileage of  
messenger

AUSTRALIAN BALLOT LAW

*Ballots, How Provided.*

SEC. 77. All ballots cast in elections for public officers within this state shall be printed and distributed at public

Australian  
ballot law



Ballots  
printed at  
county  
expense

expense, as hereinafter provided. The printing of general tickets and cards of instruction for the electors of each county, and the delivery of the same to the election officers, as provided for in this act, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses, and in case of separate elections for city, town, or district officers, the printing and delivery of tickets and cards of instruction shall be a charge upon the city, town, or district in which said tickets and cards are to be used, the payment of which shall be provided for in the same manner as the payment of other city, county, or district expenses.

*Duties of Secretary of State.*

Duties of  
secretary of  
state

SEC. 78. Not less than thirty-five days before an election to fill any public office, the secretary of state shall certify to the county clerk of each county within this state the name of each person, and the name of the office for which he is nominated, as specified in the certificate of nomination filed with him.

*Nominations, How Published.*

Nomina-  
tions, how  
published

SEC. 79. Not less than ten days before an election to fill any public office or offices, the county clerk shall cause to be published all the nominations certified to or filed with him. Said nominations shall be published in a newspaper printed within the county. When no newspaper is printed within the county, the publication shall be made by posting a copy of the ballot in a public place in each election precinct within the county, one of which copies shall be posted at the courthouse door. When publication is made by printing in newspapers, at least two publications by such newspaper shall be required, one of which shall appear in the last regular issue of such paper before election day.

*Secretary of State to Certify Constitutional Amendment to County Clerk—Punishment for Neglect.*

Secretary  
of state to  
certify con-  
stitutional  
amendment  
to county  
clerk

SEC. 80. When any proposed constitution, constitutional amendment, or other question is to be submitted to the popular vote, the secretary of state shall, within ninety days before the election at which such constitution, constitutional amendment, or question is to be voted upon, certify the same to each county clerk of this state, assigning to each question or constitutional amendment a number by which it shall be designated, as provided in section 82 of this act, sending to each of said clerks enough copies of such constitution, constitutional amendments, or other questions to supply each inspector of election and enough additional copies to carry out the provisions of this act. And it is hereby made the duty of the county clerks of each county to have posted, ten days before the election, in each election precinct, three copies of said constitution, constitutional amendments, or other questions to be voted on, one of which copies shall be posted at the place of holding the polls. If there is a newspaper published in the



county, the county clerk shall cause to be published said constitution, constitutional amendment, or other question therein three times; one publication thereof shall be at least thirty days before election; another not less than twenty days; and the other not more than ten days before said election. Any secretary of state or county clerk of this state who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum not less than \$100, nor more than \$500.

Penalty for neglect

*Duties of County Clerk and Secretary in Relation to Ballots.*

SEC. 81. It shall be the duty of the county clerk to provide printed ballots for every election for public offices, in which any voters within the county participate, and to cause to be printed in the ballot prescribed herein, the name of each and every candidate whose name has been certified to, or filed with him, as provided in this act. Ballots, other than those printed, as provided in this act, shall not be cast, or counted, in any election. All ballots shall be printed on tinted paper, furnished by the secretary of state. It shall be the duty of the secretary of state to obtain and keep on hand a sufficient supply of such paper for ballots, and to furnish the same in quantities ordered to any county clerk. Said paper shall be water-marked with a design furnished by the secretary of state, in such manner that the said water-mark shall be plainly discernible on the outside of such ballot when properly folded. Such design shall be changed for each general election, and the same design shall not be used again at any general election within the space of eight years, but at any special or separate local election paper marked with the design used at any previous election may be used.

Duties of county clerk and secretary in relation to ballots

*Ballot, How Printed, Numbered, and Ruled—Specifications as to Type, Etc.*

SEC. 82. On each ballot a perforated line shall extend from top to bottom, one-half inch from the right-hand side of such ballot, and upon the half-inch strip thus formed there shall be no writing or printing, except the number of the ballot, which shall be upon the back of the strip in such position that it shall appear on the outside when the ballot is folded. The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. Where the names of candidates are printed in separate columns, the columns shall be separated by heavy rules, and on all ballots the names of candidates shall be separated by a rule extending to the extreme right of the column. All ballots shall contain the name of each and every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this act, and no other name. The names of the candidates for each office shall be arranged under the designation of the office in alphabetical order, according to

Ballot, how printed, numbered, and ruled: specifications as to type, etc.

the surname, except that the names of candidates for presidential electors shall be arranged in groups as presented in the several certificates of nomination, the political designation of each candidate except in the case of candidates for judicial offices, shall be printed opposite his name. There shall be a margin at the right-hand side of the names at least one-half inch wide, so that the voter may clearly indicate in the way hereinafter described the candidate or candidates for whom he wishes to vote. Whenever any question is to be submitted to the vote of the people, it shall be printed upon the ballot, in such manner as to enable the electors to vote upon the question in the manner hereinafter provided, with a brief statement of the purport of such question. Before every question or constitutional amendment to be voted on, there shall be placed a number, to be designated by the secretary of state, in bold-faced type, not smaller than 24-point. There shall be printed on the ballots opposite the designation of each office such words as will aid the voter to indicate his choice of candidate, such as "Vote for One," "Vote for Three," and the like.

Questions  
specially  
numbered

*Number of Ballots, and How Bound.*

Number of  
ballots, and  
how bound

SEC. 83. All ballots when printed shall be bound in stub-books of five, ten, twenty-five, fifty, and one hundred ballots each. A record of the number of ballots printed for them shall be kept by the respective county clerks.

*Number of Ballots per Registered Voter.*

Number of  
ballots per  
registered  
voter

SEC. 84. The county clerk shall provide for each election precinct in the county at least two ballots for each voter registered therein, and not more than five ballots in excess thereof.

*Duties of County Commissioners.*

Duties of  
county com-  
missioners

SEC. 85. Whenever it shall appear, by affidavit, that an error or omission has occurred in the publication of the name or description of any of the candidates nominated, or in the printing of the ballots, any member of the board of county commissioners, upon application by any voter, shall issue an order requiring the county clerk to correct such error.

*Duties of Officers on Loss or Destruction of Ballots.*

Duties of  
officers on  
loss or  
destruction  
of ballots

SEC. 86. Before the opening of the polls, at any election, the county clerk shall cause to be delivered to the board of election of each election precinct in his county the proper number of tickets of the kind to be used in the election precinct. In case of prevention of an election in any precinct by reason of the loss or destruction of the ballots intended for that precinct, or for any other cause, the inspector or other election officer for the precinct shall make an affidavit setting forth the fact and transmit it to the governor of the state. Upon receipt of such affidavit, and upon the application of any candidate for any office to be voted for by the voters of such precinct, the governor shall order a new election in such precinct.

*Clerks of Election, How Selected.*

SEC. 87. At the same time and in the same manner as Clerks of election, how selected inspectors and judges of election are now appointed in this state, there shall be appointed two clerks of election, who shall have charge of the ballots on election day, and shall furnish them to the voters in the manner hereinafter provided for. Said clerks of election shall possess the same qualifications and receive the same compensation as inspectors of election. Said clerks shall be selected from the political parties which polled the largest and the next largest votes in the precinct at the last preceding general election.

*Booths and Ballot-Box Provided.*

SEC. 88. The board of county commissioners shall provide, Booths and ballot-box provided at each polling-place within the county, a sufficient number of places, booths, or compartments, in which voters may conveniently mark their ballots, that in the marking thereof they may be screened from the observation of others, and a guard-rail shall be so placed that only such persons as are inside said rail can approach within six feet of the ballot-box and of such booths or compartments. The arrangement shall be such that neither the ballot-box nor the booths or compartments shall be hidden from the view of those just outside the guard-rail. The number of such booths or compartments shall not be less than one for each fifty or fraction of fifty voters registered in the precinct. Each of said booths or compartments shall be kept provided with proper supplies and conveniences for marking ballots. No person other than voters engaged in receiving, preparing, or depositing their ballots, shall be permitted inside said guard-rail during the time the polls are open, except by authority of the board of election, and in that case only for the purpose of keeping order and enforcing the law.

*How to Vote.*

SEC. 89. Any person desiring to vote shall give his name How to vote and address to one of the clerks of election, who shall announce the same, and if the other clerks shall find the name upon the registry list, he shall repeat the name and address. One ballot shall then be given to the voter, and the number of the said ballot shall be written by one of the clerks of election upon the registry list opposite the name of the voter receiving it.

*Ballot, How Prepared—Marking Done with Stamp.*

SEC. 90. On receiving his ballot the voter shall immediately Ballot, how prepared; marking done with stamp retire alone to one of the places, booths, or compartments. He shall prepare his ballot by stamping a cross or X in the square, and in no other place, after the name of the person for whom he intends to vote for each office. In case of a constitutional amendment or other question submitted to the voters, the cross or X shall be placed in the square after the answer which he desires to give. Such stamping shall be done only with a stamp in black ink, which stamp, ink, and ink-pad shall be

How to fold  
ballot

furnished in sufficient number by the county clerk for each election precinct in the county. Before leaving the booth or compartment the voter shall fold his ballot in such manner that the water-mark and the number of the ballot shall appear on the outside, without exposing the stamps upon the ballot, and shall keep it so folded until he has voted. Having folded his ballot, the voter shall deliver it to the inspector, who shall announce the name of the voter and the number of his ballot. The clerk having the registry list in charge, if he finds the number to agree with the number of the ballot delivered to the voter, shall repeat the name and number, and shall mark opposite the name the word "Voted." The inspector shall then separate the strip bearing the number from the ballot, and shall deposit the ballot in the ballot-box. Said strip and number shall be immediately destroyed.

*Ten Minutes to Prepare Ballot.*

Ten minutes  
to prepare  
ballot

SEC. 91. But one person shall occupy any one booth or compartment at one time, and no person shall remain in a booth or compartment longer than may be necessary to prepare his ballot, and in no case longer than ten minutes.

*Spoiled Ballot, How Treated.*

Spoiled  
ballot, how  
treated

SEC. 92. Any voter who shall accidentally spoil a ballot may return such spoiled ballot to the clerk of election, and receive another one in its place. All the ballots thus returned shall be immediately canceled by writing the word "Canceled" across the face of the ballot, and, with those not distributed to the voters, shall be returned with the election returns. A voter who does not vote the ballot delivered to him shall, before leaving the space inside the guard-rail, return such ballot to the clerks, who shall immediately cancel the same and return it in the same manner as a spoiled ballot. The clerks of election shall account for the ballots delivered to them, by returning a sufficient number of unused and spoiled ballots to make up, when added to the number of official ballots cast, the number of ballots delivered to them.

*Who May Be Assisted.*

Who may be  
assisted

SEC. 93. A voter who declares under oath, that by reason of physical disability, he is unable to mark his ballot, shall, at his request, be permitted to receive the assistance, in such marking, of any elector, other than an election officer, but no person shall be permitted to go inside the guard-rail as an assistant to more than one voter.

*Kind of Ballots To Be Deposited.*

Kind of  
ballots to be  
deposited

SEC. 94. No ballots shall be deposited in the ballot-box unless water-mark, as hereinbefore provided, appears thereon, and unless slip containing the number of the ballot has been removed therefrom by the inspector.

*Sample Ballots—Instructions to Voters To Be Posted.*

SEC. 95. The county clerk shall cause to be printed on plain

white paper, without water-mark or endorsement, except the words "Sample Ballot," at least one-half as many copies of the form of ballot provided for use in each precinct as there shall be registered voters in any election precinct. And said county clerks shall furnish to each board of election, as many sample ballots as there shall be registered voters in said precinct, and on election day, the board of election shall furnish each voter on application one such sample ballot. Said county clerk shall also cause to be printed in plain type on cards, instructions for the guidance of voters for obtaining and marking their ballots. He shall furnish twelve such cards to the boards of election of each election precinct in the county, at the time and in the manner that ballots and sample ballots are furnished. The board of election shall post at least one of such cards in each booth provided for the preparation of ballots, and not less than three of such cards at other public places in and about the polling places on the day of election. There shall be printed on such cards sections twenty-seven, twenty-eight, twenty-nine, and thirty of this act.

Sample ballots: instructions to voters to be posted

*Kind of Ballots To Be Counted—Kind Rejected.*

SEC. 96. In counting the ballots any ballot not bearing the water-mark, as provided in this act, shall not be counted, but such ballot must be preserved and returned with the other ballots. When a voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office, his vote for such office shall not be counted. Any ballot upon which appears names, words, or marks, written or printed, except as in this act provided, shall not be counted. But nothing in this act shall be construed as grounds for the rejection of a ballot where the intention of the voter is clear and where marks on the ballot cannot be definitely shown to be intentional distinguishing marks, characters, or words.

Kind of ballots to be counted; kind rejected

*County Clerks to Have Ballots Printed at Newspaper or Printing Office Within County, or State.*

SEC. 97. The county clerks of the several counties of this state shall supervise the printing of the ballots, and such ballots shall be printed at some newspaper or printing office in the county where the ballots are to be voted, and in case there is no newspaper or printing office in the county in which the work can be done, then said clerk is hereby authorized, empowered, and directed to have said printing done in any newspaper or printing office in the state; *provided*, that the cost of printing said ballots shall not exceed the sum of fifty dollars per thousand.

County clerks to have ballots printed at newspaper or printing office within county, or state

*Duties of Secretary of State and County Clerks.*

SEC. 98. It shall be the duty of the secretary of state to cause to be printed in pamphlet form a requisite number of copies of this act, with marginal notes and properly indexed, a suitable number of which shall be forwarded by him to the

Duties of secretary of state and county clerks



county clerks of the several counties of this state at least sixty days previous to the holding of any general election, and at least twenty days previous to the holding of any special election; and it is hereby made the duty of said county clerks to enclose in each and every ballot-box sent out by them, to be used at the various precincts of their respective counties, five or more copies of said act, as in their judgment they may deem proper.

*Fraudulent Voting a Felony.*

Fraudulent  
voting a  
felony

SEC. 99. Any person who shall vote or offer to vote, at any election mentioned in this act, but who shall not be a qualified elector, or any person who, being a qualified elector, shall vote, or offer to vote, in the name of any other registered elector, shall be deemed guilty of a felony, and on conviction thereof before any court of competent jurisdiction, shall be punished by imprisonment in the state prison for not less than one nor more than three years; and any person who shall wilfully cause, or endeavor to cause, his name to be registered in any other election district than that in which he resides, or will reside prior to the day of the next ensuing election; and any person who shall cause or endeavor to cause, his name to be registered, knowing that he is not a qualified elector, or will not be a qualified elector on or before the day of the next ensuing election, in the election district in which he causes or endeavors to cause such registry to be made; and any other person who shall induce, aid, or abet any such person in the commission of either of such acts in this section enumerated and described, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by confinement in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

*Perjury, and Penalty For.*

Perjury, and  
penalty for

SEC. 100. All wilful, corrupt, and false swearing or affirming before any registry agent shall be deemed perjury, and on conviction shall be punished as such. If any registry agent, or any other person in any manner concerned, shall wilfully and corruptly violate any of the provisions of this act, the penalty for which is not herein specifically prescribed, he shall be punished for each and every offense whereof he shall be duly convicted, by imprisonment in the state prison for a term not less than one year nor more than five years, or by fine of not less than one hundred nor more than one thousand dollars, or both such fine and imprisonment, in the discretion of the court.

*Betting on Elections.*

Betting on  
elections

SEC. 101. Every person who makes, offers, or accepts any bet or wager upon the result of any election, or upon the success or failure of any person or candidate, or upon the num-



ber of votes to be cast, either in the aggregate or for any particular candidate, or upon the vote to be cast by any person, is guilty of a misdemeanor.

*Neglect or Refusal of Duty.*

SEC. 102. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be deemed guilty of a felony, and punishable by a fine of not exceeding one thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Neglect or  
refusal of  
duty

*Misdemeanor—Penalty.*

SEC. 103. Every person who after being required by the board of judges at any election, refuses to be sworn, or who, after being sworn, refuses to answer any pertinent question propounded by such board, touching his right, or the right of any other person to vote, is guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

Misde-  
meanor

Penalty

*Fraud on Ballot-Box—Felony—How Punished.*

SEC. 104. Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any election, or knowingly hands in two or more tickets folded together, or changes any ballot after the same has been deposited in the ballot-box, or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot-box before or after the ballots therein have been counted or adds to or mixes with, or attempts to add or mix with the ballots lawfully provided, other ballots while the same are being counted or canvassed, or abstracts any ballots lawfully polled at any other time with intent to change the result of such election, or carries away or destroys, or attempts to carry away or destroy any poll-list or ballots, or ballot-box, for the purpose of breaking up or invalidating such election, or wilfully detains, mutilates, or destroys any election returns, or in any manner so interferes with the officers holding such election or conducting such canvass, or with voters lawfully exercising their right of voting at such election, as to prevent such election or canvass from being fairly held and lawfully conducted, shall be guilty of a felony, punishable by a fine not exceeding one thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Fraud on  
ballot-box

Felony, how  
punished

*Fraudulent Voting—Penalty.*

SEC. 105. Every person not entitled to vote who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who procures, aids,

Fraudulent  
voting

Penalty

assists, counsels, or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, shall be guilty of a misdemeanor, punishable by a fine not exceeding two hundred dollars, or by imprisonment in the county jail not exceeding sixty days, or by both such fine and imprisonment.

*Misdemeanor to Violate Secrecy of Ballot—Forging Returns a Felony.*

Misdemeanor to violate secrecy of ballot

Forging returns a felony

SEC. 106. Every inspector, judge, or clerk of an election who, previous to putting the ballot of an elector in the ballot-box, attempts to find out any name on such ballot, or who opens or suffers the folded ballot of any elector which has been handed in, to be opened or examined previous to putting the same into the ballot-box, or makes or places any mark or device on any folded ballot, with a view to ascertain the name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such inspector, judge, or clerk has fraudulently or illegally discovered to have voted for by such elector, is punishable by a fine of not less than fifty nor more than five hundred dollars. Every person who forges or counterfeits the returns of an election purporting to have been held at a precinct, town, or ward, when no election was in fact held, or wilfully substitutes forged or counterfeit returns of election in place of the true returns of a precinct, town or ward where an election was actually held, is punishable by imprisonment in the state prison for a term of not less than two nor more than ten years.

*Bribery, Intimidation, or Menace—Penalty.*

Bribery, intimidation, or menace

Penalty

SEC. 107. Every person, who by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly, attempts to influence any elector in giving his vote, or to deter him from giving the same, or attempts by any means to awe, restrain, hinder, or disturb any elector in the free exercise of the right of suffrage, or furnishes an elector wishing to vote, who cannot read, with a ticket, informing or giving such elector to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any elector at such election by deceiving and causing such elector to vote for a different person or any office than he intended or desired to vote for, or who, being inspector, judge, or clerk of any election, while acting as such, induces or attempts to induce, any elector either by menace or reward, or promise thereof, to vote different from what such elector intended or desired to vote, shall be guilty of a felony, punishable by a fine not exceeding one thousand dollars, or imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

*Promoters of Candidates Punished—Penalty.*

SEC. 108. Every person who, with the intent to promote

the election of himself, or any other person, either, First—Promoters of candidates punished Furnishes entertainment at his expense to any meeting of electors previous to or during an election; Second—Pays for, procures, or engages to pay for any such entertainment; Third—Furnishes or engages to pay or deliver any money or property for the purpose of procuring the attendance of voters at the polls, or for the purpose of compensating any person for procuring attendance of voters at the polls, except for the conveyance of voters who are sick or infirm; Fourth—Furnishes or engages to pay or deliver any money or property for any purpose intended to promote the election of any candidate, except for the expenses of holding and conducting public meetings, for the discussion of public questions, and of printing and circulating ballots, handbills, and other papers previous to such election—shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment not exceeding six months in the county jail. Penalty

*Bribery or Attempt to Bribe a Felony.*

SEC. 109. Every person who gives or offers a bribe to any officer or member of any legislature, caucus, political convention, committee, primary election, or political gathering of any kind, held for the purpose of nominating candidates for offices of honor, trust, or profit in this state, with intent to influence the person to whom such bribe is given or offered to be more favorable to one candidate than another, shall be guilty of a felony, punishable by a fine not exceeding five thousand dollars, or ten years' imprisonment in the state prison, or both such fine and imprisonment. Bribery or attempt to bribe a felony

*Contingent Promises of Appointment.*

SEC. 110. Every person who, being a candidate at any election, offers or agrees to appoint or procure the appointment of any particular person to office, position, or employment as an inducement or consideration to any person to vote for, or procure or aid in procuring the election of such candidate, or person not being a candidate, who communicates any offer made in violation of this and the preceding section, to any person with intent to induce him to vote for, or to procure or aid in procuring the election of the candidate, shall be deemed guilty of a felony, punishable by imprisonment not exceeding five years, or a fine not exceeding five thousand dollars, or by both such fine and imprisonment. Contingent promises of appointment

*Sale of Liquor Prohibited.*

SEC. 111. No person shall sell, give away, or furnish, or cause to be sold, given away, or furnished, either for or without pay, within this state, on any day upon which a general election is held, or within the limits of any county, or city, or on any day upon which any special or municipal election is held therein, any spirituous, malt, or fermented liquors or Sale of liquor prohibited

wines; and any one so doing shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than one nor more than six months, or by both such fine and imprisonment, in the discretion of the court; and it shall be the duty of the judges of the district courts of the several judicial districts in this state to specially give this act in charge to every grand jury impaneled in their respective districts.

*Duties of Governor—Rewards Offered.*

Duties of  
governor;  
rewards  
offered

SEC. 112. The governor is hereby authorized and directed, at least thirty days previous to any general election, and fifteen days previous to any special election, to issue a proclamation offering a reward of one hundred dollars for the arrest and conviction of any person violating any of the provisions of this act when the crime is a misdemeanor, and a reward of two hundred dollars for the arrest and conviction of any person guilty of a felony, as herein provided; such rewards to be paid until the total amount hereafter expended for the purpose reaches the sum of ten thousand dollars, payable out of any moneys in the state treasury not otherwise appropriated. All moneys collected under the provisions of this act shall revert to the general school fund of the several counties where such cases were brought.

*Misdemeanor to Interfere with Election Supplies.*

Misde-  
meanor to  
interfere  
with election  
supplies

SEC. 113. Any person who shall, during an election, remove or destroy any of the supplies or other conveniences placed in the booths or compartments, or shall, during an election, remove, tear down, or deface the cards of instruction posted, as prescribed by this act, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment in the county jail for a term not less than one month and not exceeding six months.

*Neglect of Public Officer, How Punished.*

Neglect of  
public  
officer, how  
punished

SEC. 114. Any public officer upon whom any duty is imposed by this act, who shall wilfully neglect or refuse to perform any such duty, shall be deemed guilty of a felony, and, upon conviction thereof, shall be imprisoned in the state prison for a term not less than one year and not exceeding five years.

*Many Interdictions Under Penalty.*

Many inter-  
dictions  
under  
penalty

SEC. 115. No person except a member of the board of election shall receive from any voter a ballot prepared by such voter. No person shall examine such ballot or solicit a voter to show the same. No person shall remove any ballot from any polling-place before the closing of the polls. No person shall apply for or receive a ballot at any election precinct other than the one at which he is entitled to vote. No person

shall show his ballot to any person, after marking it, so as to reveal any of the names voted for. No person shall ask another within one hundred feet of the polling-place for whom he intends to vote. No voter shall receive a ballot from any other person than one of the clerks of election, nor shall any other person than a clerk of election deliver such ballot to such voter. No voter shall deliver to the board of election or to any member thereof any ballot other than the one received from the clerk of election. No voter shall place any mark upon his ballot by which it may afterwards be identified as the one voted by him. Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment in the county jail for a term not less than one month and not exceeding six months. Penalties

*Who May Contest an Election.*

SEC. 116. Any elector of the proper county may contest the right of any person declared duly elected to an office exercised in and for such county; and, also, any elector of a township may contest the right of any person declared duly elected to any office in and for such township, for any of the following causes: First—For malconduct on the part of the board of inspectors, or any member thereof. Second—When the person whose right to the office is contested was not at the time of election eligible to such office. Who may contest an election

*Irregularities of Returns.*

SEC. 117. When any election, held for an office exercised in and for a county, is contested on account of any malconduct on the part of the board of inspectors of any precinct, or any member thereof, the election shall not be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct shall change the result as to such office in the remaining vote in the county. Irregularities of returns

*Contest Instituted, How.*

SEC. 118. When any elector shall choose to contest the right of any person declared duly elected to such office, he shall, within forty days thereafter, file with the clerk of the district court a written statement, setting forth specifically: First—The name of the party contesting such election, and that he is a qualified elector of the district, county, or precinct (as the case may be) in which such election is held. Second—The name of the person whose right to the office is contested. Third—The office. Fourth—The particular cause or causes of such contest. Said statement shall be verified by the affidavit of the contesting party that the matters and things therein contained are true, to the best of his knowledge and belief. Contest instituted, how

*Proceedings in Contests—District Court to Decide.*

SEC. 119. When the reception of illegal votes is alleged as

Proceedings  
in contests;  
district court  
to decide

a cause of contest, it shall be sufficient to state generally that illegal votes were given to the person whose election is contested in the specific precinct or precincts, which, if taken from him, will reduce the number of his legal votes below the number of legal votes given to some other person for the same office; but no testimony shall be received of illegal votes unless the party contesting such election shall deliver to the opposite party, at least three days before such trial, a written list of the number of illegal votes, and by whom given, which he intends to prove on such trial; and no testimony shall be received of any illegal votes except such as are specified in such list; *provided*, that in all cases the contested elections the district court of the respective districts shall have original jurisdiction to try and determine all such cases, and may, by mandamus or otherwise, obtain all documentary evidence required by either of the parties litigant.

*Strict Form Not Essential.*

Strict form  
not essential

SEC. 120. No statement of the cause of contest shall be rejected, nor the proceedings thereon dismissed, by any court before which such contest may be brought for trial, for want of form, if the particular cause or causes of contest shall be alleged with such certainty as will sufficiently advise the defendant of the particular proceedings or causes for which such election is contested.

*Duties of Clerk of District Court.*

Duties of  
clerk of dis-  
trict court

SEC. 121. Upon such statement being filed, it shall be the duty of the clerk of the district court to inform the judge thereof, who shall fix the time and place to hear and determine such contested election; and the clerk shall give notice thereof, not less than ten nor more than twenty days from the date of such notice to the parties contesting, which said notice shall be served by the sheriff of the county upon the respective parties, as in other cases.

*Process.*

Process,  
how served

SEC. 122. The said clerk shall issue subpoenas and subpoenas *duces tecum*, as in civil actions at law, for witnesses in such contested election at the request of either party, which shall be served by the sheriff as other subpoenas; and the district court shall have full power to issue attachments to compel the attendance of witnesses who shall fail to attend, who shall have been duly subpoenaed.

*Duties of Clerk of District Court.*

Duties of  
clerk of dis-  
trict court

SEC. 123. Upon the certified copy of a judgment of the district court, or a certified copy of the judgment of the supreme court, as the case may be, the clerk of the board of county commissioners shall issue a certificate to the person declared to be entitled to such certificate of election.

*Fees of County Officers.*

SEC. 124. The clerk, sheriff, and witnesses shall receive,



respectively, the same fees from the party against whom the judgment is given as are allowed for similar services in the district court. Fees of county officers

*Effect of Judgment of Court.*

SEC. 125. Whenever an election shall be annulled and set aside by the judgment of the district court, and no appeal has been taken therefrom within thirty days, such certificate, if any has been issued, shall thereby be rendered void and the office become vacant. Effect of judgment of court

*Contests To Be Tried, Where.*

SEC. 126. In case of any contest in regard to any election to fill the office of district judge, such contest shall be tried in like manner before the district court of the district nearest adjoining thereto. Contests to be tried, where

*Who May Bring Action.*

SEC. 127. Any such action may be brought by the attorney-general, in the name of the State of Nevada, upon his own information or upon the complaint of any private party, against any person who unlawfully holds any public office within the state; and it shall be the duty of the attorney-general to bring such action whenever he has reason to believe that any such office is unlawfully held or exercised by any person, or when he is directed to do so by the governor. Who may bring action

*Duties of Attorney-General—Order of Court.*

SEC. 128. Whenever such action is brought the attorney-general, in addition to the statement and cause of action, may also set forth in the complaint the name of the person rightly entitled to the office or franchise, with a statement of his right thereto; and in such case, upon proof by affidavit or otherwise, that the defendant has received fees or emoluments belonging to the office or franchise, by means of his usurpation thereof, an order may be granted by a judge of the supreme court, or a district judge, for the arrest of such defendant, and holding him to bail; and thereupon he may be arrested and held to bail in the same manner and with the same effect, and subject to the same rights and liabilities as in other civil actions where the defendant is subject to arrest. Duties of attorney-general; order of court

*Damages May Be Recovered.*

SEC. 129. If the judgment be rendered upon the right of the person so alleged to be entitled in favor of such person, he may recover, by action, the damages which he shall have sustained by reason of the usurpation of the office or franchise by the defendant. Damages may be recovered

*One Action, When.*

SEC. 130. When several persons claim to be entitled or elected to the same office one action may be brought by or against all such persons, in order to try their respective rights to such office. One action, when

## CONTEST FOR MEMBERS OF THE LEGISLATURE

*How Conducted.*

Contest for  
members  
of the legis-  
lature, how  
conducted

SEC. 131. In case of contest for senator or assemblyman in any county in this state, the party contesting shall file a statement in the office of the county clerk of the county in which such senator or assemblyman may be a resident, and a concise statement of the grounds upon which he intends to reply, which statement shall be verified by affidavit; and it shall be the duty of the clerk to issue a commission, directed to a justice of the peace of such county, to meet at such time and place as shall be specified in such commission, not less than twenty nor more than thirty days from the filing of such papers, for the purpose of taking the deposition of such witnesses as the parties to such contest may wish to examine, and notice shall be served upon the person whose right to such office is contested, by the sheriff of the county, the same as provided for by law in like cases.

*Powers of Justice of the Peace.*

Powers of  
justice of  
the peace

SEC. 132. Said justice of the peace shall have power at any time to issue subpoenas for witnesses at the request of either party, to be served by the sheriff as other subpoenas; and said justice shall have the same power to issue attachments and assess fines against witnesses as is given to justices of the peace in other trials instituted before him; and all testimony taken before him during such proceeding shall be in writing, and shall be certified to and forwarded by mail or express, or delivered to the clerk of the county.

*County Clerk to Seal and Deliver all Papers to the Secretary of State.*

County clerk  
to seal and  
deliver all  
papers to the  
secretary of  
state

SEC. 133. It shall be the duty of said clerk to seal up such depositions, together with the original statement of the grounds of such contest, and a copy of the notice served upon the party whose right is contested, and the commission issued to the justice of the peace, and transmit the same by mail to the secretary of state, indorsing thereon the names of the contesting parties and the branch of the legislature before which such contest is to be tried.

*Secretary of State to Deliver Papers.*

Secretary of  
state to  
deliver  
papers

SEC. 134. It shall be the duty of the secretary of state to deliver the same, unopened, to the presiding officer of the house in which such contest is to be tried, on or before the second day after the organization of the legislature next after taking such depositions; and such presiding officer shall immediately give notice to said house that said papers are in his possession.

*Depositions May Be Taken, When and How.*

Depositions  
may be  
taken, when  
and how

SEC. 135. At any time after notice of any contest shall be given, and before the trial of such contested election before the proper branch of the legislature, it may be lawful for either party to such contest to take depositions, to be read on the

trial thereof in like manner and under the same rules as are allowed and required in cases of depositions to be read on any trial pending in the district court; and such depositions, when thus taken, shall be sealed up by the officer taking the same and directed to the secretary of state, who shall keep the same unopened, and deliver them to the presiding officer of the house in which such contest is to be tried, to be disposed of by such officer as the depositions specified in the preceding sections.

*When Contest May Be Commenced for State Officers.*

SEC. 136. Proceedings to contest the election of any state officer must be begun within sixty days after the evidence becomes available upon which the contest is based.

Contest for state office, time limit

*For Other Officers.*

SEC. 137. Proceedings to contest the election of any county officer, or any officer other than a state officer, must be begun within forty days after the evidence becomes available upon which such contest is based.

Contests for other than state office

*When Time Begins to Run.*

SEC. 138. Delays arising from any cause tending to prevent the obtaining of evidence upon which a contest is brought shall not cause such contest to fail, but the time provided in this act shall begin to run only from the day when such evidence may be freely available to the person contesting the election of another, and from and after the passage of this act.

When time begins to run

*When Demand for Recount Must Be Made.*

SEC. 139. Demands for recount must be made within sixty days from the day of election, or after the passage of this act if the recount is to be had of votes cast at the last general election preceding the passage of this act.

When demand for recount must be made

FOR CONTESTING ELECTION OF STATE OFFICERS

*How Instituted.*

SEC. 140. Any qualified elector of the state may contest the election of any person declared duly elected to any state office within this state by filing a specification of the grounds of such contest with the clerk of the supreme court, which specification shall be verified by oath or affirmation, and it is hereby made the duty of the attorney-general to prosecute such action in the name of the people of the state, before the supreme court, who shall have original jurisdiction in such cases; the justices, or any of them, shall have power to issue such process as may be necessary to the complete hearing and final determination of such action.

Contest for state office, how instituted

CHAPTER 5

REFERENDUM

*Petition.*

SEC. 141. Whenever ten per centum or more of the voters of this state, as shown by the number of votes cast at the last

Petition of 10 per cent of total vote necessary for referendum preceding general election for justice of the supreme court, shall express their wish that any law or resolution made by the legislature be submitted to the vote of the people, they shall file with the secretary of state, not less than four months before the time set for such general election, a petition, which petition shall contain the names and residences of at least ten per centum of the voters of this state, demanding that a referendum vote be had by the people of the state at the next general election upon the bill or resolution on which the referendum is demanded.

*More Than One Petition—Verification.*

More than one petition; verification

SEC. 142. The names of the electors so petitioning need not all be upon one petition, but may be contained in one or more petitions; but each petition must be verified by at least one of the voters who has signed such petition, and such voter making such verification must swear that the persons signing said petition are qualified voters of this state. Said petition may be verified upon information and belief.

*Secretary of State to Certify Questions to the County Clerks—Same To Be Public.*

Secretary of state to certify questions to county clerks; same to be public

SEC. 143. That upon receipt of said petition by the secretary of state he shall file the same, and at the next general election shall submit the question of the approval or disapproval of said law or resolution to the people of the state to be voted upon at the ensuing election wherein any state or congressional officer is to be voted for, or wherein any question may be voted upon by the electors of the entire state. And the secretary of state shall certify the said law to the several county clerks in this state, and they shall publish the same in accordance with the provisions of law requiring the said county clerks to publish questions and constitutional amendments which are to be submitted for popular vote.

*Questions, How Placed on Ballots.*

Questions, how placed on ballots

SEC. 144. That the title of the act shall be set out on the ballot and the question printed upon the ballot for the information of the voter shall be as follows: Shall the act (setting out the title thereof) be approved? And the votes cast upon such question shall be counted and canvassed as are the votes for state officers counted and canvassed.

*Operation of Referendum.*

Operation of referendum

SEC. 145. When a majority of the electors voting on the question of the approval or disapproval of any act at a state election, shall by their vote signify approval of the same, such act shall stand as the law of the state, and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative, except by a direct vote of the people. When a majority shall so signify disapproval, the law or resolution so disapproved shall be void and of no effect.

# CHAPTER 6

## MISCELLANEOUS PROVISIONS

### *Words Construed.*

SEC. 146. Words in this act in the masculine gender shall be construed to comprehend the feminine gender in compliance with the constitutional amendment granting suffrage to women. Masculine includes feminine gender

### *Judicial Officers.*

SEC. 147. No words designating the party affiliation of any candidate for a judicial office shall be printed upon the ballot. Judicial officers without party designation

### *School Elections.*

SEC. 148. School trustees shall be elected in accordance with the provisions of chapter six of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911. School trustee elections

### *Electors in Military Service.*

SEC. 149. Electors of the State of Nevada in the military service of the United States may, when called into such service, vote in accordance with the provisions of the act approved March 14, 1899. Soldier vote

### *Repeal.*

SEC. 150. All parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

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CHAP. 286—*An Act regulating the compensation of receivers of corporations in cases of involuntary dissolution or liquidation.*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. A receiver of a corporation appointed in any proceeding heretofore or hereafter instituted for the involuntary liquidation or dissolution of such corporation and the winding up of its affairs, in addition to his necessary expenses, shall receive as compensation for his services not to exceed two per cent of all moneys or sums received by him, and an additional two per cent of all moneys paid out by him in dividends; *provided, however,* in case of extraordinary services rendered by the receiver the court may allow him an additional one per cent upon final accounting of all moneys disbursed by him by way of dividends. Any order, judgment, decree, or proceeding allowing any greater or further compensation than that provided in this act to any receiver of any insolvent corporation appointed in a proceeding for its involuntary liquidation or winding up shall be void. Receivers of certain insolvent corporations to receive certain percentage of funds handled

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

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CHAP. 287—*An Act to amend section six and section nine of an act entitled "An act concerning public schools, and repealing certain acts relating thereto."*

[Approved March 29, 1915]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Amending  
school code

SECTION 1. Section six of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," is hereby amended so as to read as follows:

Section 6. The superintendent of public instruction shall have power, and it shall be his duty:

Duties of  
superin-  
tendent of  
public  
instruction  
named in  
detail

1. To visit each county in the state at least once each year for the purpose of conducting institutes, visiting schools, consulting with the school officers, and addressing public assemblies on subjects pertaining to the schools; and the necessary traveling expenses incurred by the superintendent in performance of such duties, such traveling expenses to include the cost of transportation and board while absent from his place of residence, shall be allowed, audited and paid out of the general fund, in the same manner as claims upon said fund are now allowed, audited and paid; *provided*, that the sum so expended in any one year shall not exceed one thousand dollars;

2. To apportion the state distributive school fund;

3. To apportion the county school fund of each county among its various districts;

4. To report to the governor biennially, on or before the first day of December of the years preceding the regular session of the legislature. The governor shall transmit said report to the legislature; and whenever it is ordered published the state printer shall deliver a sufficient number of copies to the superintendent, who shall distribute the same among school officers of the state and of the United States. Said report shall contain a full statement of the condition of public instruction in the state; a statement of the condition and amount of all funds and property appropriated to the purpose of education, the number and grade of schools in each county; the number of children in each county between the ages of six and eighteen years of age; the number of such attending public schools; the number attending private schools; the number attending no schools; the number under six years of age; the number between eighteen and twenty-one years of age; the amount of public-school moneys apportioned to each county; the amount of money raised by county taxation, district tax, subscription, or otherwise, by any city, town, district, or county, for the support of schools therein; the amount of money raised for building schoolhouses; a statement of plans for the management and improvement of public schools; and such other information relative to the



educational interests of the state as he may think of importance;

5. To prescribe suitable rules and regulations for making all reports and conducting all necessary proceedings under this act, and to furnish suitable blank forms for the same; to cause the same, with such instructions as he shall deem necessary and proper for the organization and government of schools, to be transmitted to the local school officers, who shall be governed in accordance therewith. He shall prepare a convenient form of school register for the purpose of securing accurate returns from the teachers of public schools, and shall furnish each school district in the state with such registers. He shall prepare pamphlet copies of the school law and all amendments thereto, and shall transmit a copy thereof to each school trustee, school census marshal, and school teacher in the state;

Duties of  
superin-  
tendent of  
public  
instruction  
named in  
detail

6. To convene a state teachers' institute biennially, in the even-numbered years, in such place and at such time as he may deem advisable. It shall be his further duty to convene five district teachers' institutes in the various sections of the state biennially, in the odd-numbered years, in such places and at such times as he may deem advisable. He shall engage such institute lecturers and teachers as he shall deem advisable, and shall preside over and regulate the exercises of all state and district institutes. No institute shall continue less than four nor more than ten days. The expenses incurred in holding such institute shall be paid out of the state general fund; *provided*, that the amount for the state institute shall not exceed five hundred dollars, nor the amount of any one district institute two hundred and fifty dollars, and the state controller is hereby authorized and directed to draw his warrants for the same upon the order of the superintendent of public instruction. All teachers shall be required to attend the district institutes held in the supervision districts in which they may be teaching, respectively, unless they shall be excused for good cause by the superintendent of public instruction, and without loss of salary for the time thus employed;

7. To call, with the approval of the board of county commissioners, a county teachers' institute in any county at such time and place as in his judgment will best subserve the educational interests of the county, and to preside over and regulate the exercises of the same. The expenses of such institute shall be paid out of the county general fund of the county in which such institute is held; *provided*, that the board of county commissioners shall authorize such institute upon the application of the superintendent of public instruction; *and provided*, that such expenses shall not exceed the sum of one hundred dollars. All teachers shall be required to attend any county institute held in the counties in which they shall be teaching, respectively, unless excused for good

Duties of  
superin-  
tendent of  
public  
instruction  
named in  
detail

cause by the superintendent of public instruction and without loss of salary for the time thus employed;

8. To call meetings of the state board of education in January and June of each year, and at such other times as he shall deem proper, or when two members of said board shall request a meeting;

9. To perform such other duties relative to the public schools as may be prescribed by law;

10. To have done at the state printing office any printing required in the performance of his duties;

11. To require a written report from each deputy superintendent on the first day of October, the first day of January, the first day of April, and the first day of July of each school year. Such reports shall contain any information or facts that the superintendent of public instruction may require;

12. To arrange blank forms, including school registers, for teachers' contracts, and supply the same to school trustees and teachers;

13. The superintendent of public instruction shall, at the expiration of his term of office, deliver to his successor all property and effects belonging to his office, and take a receipt for same.

SEC. 2. Section nine of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," is hereby amended so as to read as follows:

Deputy  
superin-  
tendents,  
how  
appointed;  
qualifica-  
tions

Section 9. The state board of education shall, on or before the first Monday in May, 1911, and each fourth year thereafter, appoint one deputy superintendent of public instruction for each supervision district as herein provided for, and such appointee shall, at the time of his appointment and during his term of office, be a *bona fide* resident of the district for which he is appointed. Such appointee shall take office on the first Monday in September and shall serve for a period of four years or until his successor shall have been appointed and shall have qualified. In case a vacancy shall occur in the office of deputy superintendent of public instruction, the state board of education shall, in like manner, make an appointment for the unexpired term. The deputy superintendents of public instruction shall devote their entire time to school supervision and shall not engage in any other work while holding this office.

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Deputies  
must give  
entire time  
to office

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# **RESOLUTIONS AND MEMORIALS**

**PASSED AT THE**

**Twenty-seventh Session, Nevada Legislature, 1915**

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# RESOLUTIONS AND MEMORIALS

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No. 1—*Assembly Joint and Concurrent Resolution, relative to amending section three of article eleven of the constitution of the State of Nevada.*

[Approved March 26, 1913; approved February 4, 1915]

*Resolved by the Assembly, the Senate concurring, That* section three of article eleven of the constitution of the State of Nevada be amended to read as follows:

Amending  
state con-  
stitution;  
second  
passage by  
legislature

Section 3. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public schools in the act of the Thirty-eighth Congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each senator and representative in Congress, and all proceeds of lands that have been or may hereafter be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under the act of Congress distributing the proceeds of the public lands among the several states of the union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by Congress on the sale of lands; all fines collected under the penal laws of the state; all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other funds for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this state, or the bonds of other states of the union, or the bonds of any county in the State of Nevada; or in loans at a rate of interest of not less than six per cent per annum, secured by mortgage on agricultural lands in this state of not less than three times the value of the amount loaned, exclusive of perishable improvements, of unexceptional title and free from all encumbrances, said loans to be under such further restrictions and regulations as may be provided by law; *provided*, that the interest only

All of certain  
revenues to  
be used for  
educational  
purposes

of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portion of said interest as may be necessary may be appropriated for the support of the state university.

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No. 2—*Assembly Joint and Concurrent Resolution, memorializing Congress and the Nevada senators and representative in Congress.*

[Approved February 4, 1915]

Concerning  
property on  
original  
right of way  
of Central  
Pacific rail-  
road

WHEREAS, Under congressional grants of 1862 and 1864, the Central Pacific railroad company acquired a right of way across the State of Nevada 400 feet in width—200 feet on each side the center of its track—and notwithstanding the fact that these grants conveyed a mere easement, the company proceeded to sell in various towns along its route considerable quantities of land within its right of way, which lands have been occupied and improved, and taxes paid thereon by the purchasers and their grantees, for about forty years; and

WHEREAS, It is now claimed that the company had no power of alienation, and its deeds to lands so conveyed within its right of way are void; and

WHEREAS, Lots so conveyed constitute much of the most valuable and highly improved property in the towns of Verdi, Reno, Lovelock, Winnemucca, Carlin, Elko, and Wells, all of which is seriously affected by the present conditions, its value depreciated, its titles unsettled, its salability impaired, and its further improvement arrested; and

WHEREAS, There is now pending in the house of representatives of the United States a bill known as senate bill No. 5042, introduced March 24, 1914, by Honorable Francis G. Newlands, and passed by the senate August 7, 1914, the purpose of which is to give all conveyances or agreements made by said company and its successor companies concerning lands forming a part of said right of way, the same force and effect as if the land involved had been held under absolute or fee simple title; and

WHEREAS, Similar relief has been granted by Congress to all persons who had purchased land within the right of way of the Northern Pacific railroad company by an act entitled "An act validating certain conveyances of the Northern Pacific railroad company, and the Northern Pacific railway company" (U. S. Stats. at L., vol. 33, p. 538); and

WHEREAS, The same character of relief has been granted by Congress to the people of Nebraska, Kansas, Colorado, Wyoming, and Utah by an act entitled "An act legalizing certain conveyances heretofore made by the Union Pacific railroad company" (U. S. Stats. at L., vol. 37, pt. 1, p. 138); and

WHEREAS, The Central Pacific railway company has announced that: "Notwithstanding the decisions of the



United States supreme court, that the title to the right of way was of such a character that it could not be alienated by the grantee, this company does not intend to assert title to any lands within the limits of its right of way that have been voluntarily conveyed to private holders by this company or its predecessor companies, or by Charles Crocker, the Contract and Finance company, or (prior to 1900) by the Pacific Improvement company, and that, since said conveyances have been and now are held, used, and occupied in good faith by such grantees or their successors, without waiver or loss of claim thereto by acceptance of lease, abandonment, adverse possession, or otherwise, but intends to recognize the validity of all title so acquired." (Announcement by Central Pacific railroad company, dated March 31, 1914, a copy of which is hereto attached.) Therefore be it

Concerning property on original right of way of Central Pacific railroad

*Resolved*, That we commend said senate bill No. 5042, entitled "A bill legalizing certain conveyances heretofore made by the Central Pacific railroad company and others within the State of Nevada," as a just and equitable measure, and we earnestly urge upon our senators and representative in Congress the importance and necessity of using all honorable means to speed the passage and approval of said bill at the present session of Congress.

U. S. senate bill 5042 to remedy all irregularities

*Resolved*, That the governor of Nevada be requested to forward at once copies of this resolution to the president of the United States, to the speaker of the house of representatives, to the chairman of the committee on public lands of the house of representatives, to Senator Francis G. Newlands, to Senator Key Pittman, to Representative E. E. Roberts, and to Representative Charles F. Booher of Missouri.

ANNOUNCEMENT BY CENTRAL PACIFIC RAILWAY COMPANY

As some uncertainty has existed in Nevada as to the policy of this company concerning the titles to lands held, or claimed to be held, in private ownership within the limits of the right of way granted by Congress, this announcement is made: Notwithstanding the decisions of the United States supreme court that the title to the right of way was of such a character that it could not be alienated by the grantee, this company does not intend to assert title to any lands within the limits of its right of way that have been voluntarily conveyed to private holders of this company or its predecessor companies, or by Charles Crocker, the Contract and Finance company, or (prior to 1900) by the Pacific Improvement company, and that, since said conveyances have been and now are held, used and occupied in good faith by such grantees or their successors, without waiver or loss of claim thereto by acceptance of lease, abandonment, adverse possession, or otherwise, but intends to recognize the validity of all titles so acquired. For the purpose of confirming any such conveyance made by said grantors other than this company or its predecessor companies at Verdi, Reno, Lovelock, and Wells (Nevada), this company, upon satisfactory

Announcement by Central Pacific railway company

Announce-  
ment by  
Central  
Pacific  
railway  
company

proof by abstract or certificate of title of the right thereto and except as aforesaid, will give its quitclaim deed to the present holder of any such title, with a warranty against liens created by this company on the right of way.

It is not deemed necessary to give further deeds to confirm deeds already given by this company or its predecessor companies. This company reserves the right to determine in each case whether the facts come within the policy hereby announced, and entitle the applicant to such special relief. In no case will a conveyance be recognized or given which reduces the width of the right of way to less than that required for railroad purposes or to less than 50 feet on either side of the center line thereof. Applications for quitclaim deeds, accompanied by the necessary proof, should be made to B. A. McAllaster, land commissioner, room 801, Flood building, San Francisco.

The company intends to defend its title to the full extent of the right of way granted by Congress against trespassers and persons claiming possession or title only by virtue of the operation of statutes of limitation. By order of the board of directors: Central Pacific railway company, by Wm. F. Herrin, president. (Date) March 31, 1914.

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No. 3—*Senate Concurrent Resolution, relative to amending section three of article nine of the constitution of the State of Nevada.*

[Approved March 14, 1913; approved February 8, 1915]

Amending  
state con-  
stitution;  
second  
passage by  
legislature

Changing  
limit of state  
debt from  
\$300,000 to  
1 per cent  
of assessed  
valuation of  
property in  
state

*Resolved by the Senate, the Assembly concurring,* That section three of article nine of the constitution of the State of Nevada be amended so as to read as follows:

Section 3. The state may contract public debts, but such debts shall never in the aggregate, exclusive of interest, exceed the sum of one per cent of the assessed valuation of the state, as shown by the reports of the county assessors to the state controller, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semiannually, and the principal within twenty years from the passage of such law and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes postponed or diminished, until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and

of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense.

No. 4—*Joint and Concurrent Resolution, relating to appropriation by Congress for irrigation purposes.*

[Approved February 13, 1915]

WHEREAS, The great agricultural resources of Nevada are dependent upon the conservation of the waters and irrigation; and

Asking Congress to appropriate \$100,000 for Carson Valley unit, Truckee-Carson reclamation project

WHEREAS, There has been formed under the laws of this state an irrigation district called irrigation district number one, Carson Valley unit, Truckee-Carson project, for the express purpose of cooperating with the United States government in constructing a reservoir for conserving the waters of Carson river and thereby reclaiming and irrigating over fifty thousand acres of land; and

WHEREAS, The reclamation service of the United States has recommended that the government cooperate with the district and it being essential and of primary importance that Congress appropriate at least one hundred thousand dollars immediately to initiate and begin this work of reclaiming thousands of acres of land and opening them for homes for our people: therefore, be it

*Resolved by the Senate, the Assembly concurring,* That we approve and favor the appropriation of one hundred thousand dollars by Congress for the purpose of said reclamation project; and

*Resolved further,* That we hereby urge our senators and representative in Congress to use all honorable means and efforts to secure such appropriation; and be it

*Resolved further,* That a copy of this resolution be telegraphed by the secretary of state to the senators and representative in Congress from Nevada, and that a copy be forwarded to the president of the United States.

No. 5—*Assembly Joint and Concurrent Resolution.*

[Approved February 17, 1915]

WHEREAS, For many years past there has been established and maintained on the banks of the Truckee river by the Floriston Pulp and Paper company, a corporation, at a point called Floriston, in the State of California, a mill for the manufacture of paper pulp and paper by what is known as the sulphite process. The said mill has, ever since its establishment, been in active operation and has during this entire period discharged, and is still discharging in such a manner that the same reaches the Truckee river directly and by seepage, a certain waste

Regarding pollution of Truckee river by Floriston Pulp and Paper company

liquor which renders the waters of the stream below the said mill unfit for domestic purposes and deleterious to fish culture; and

Regarding  
pollution of  
Truckee  
river by  
Floriston  
Pulp and  
Paper com-  
pany

WHEREAS, A series of tests and analyses made by competent authorities has proven beyond question of doubt that the said waste liquor in the Truckee river has added greatly to the amount of the dissolved organic matter and has seriously affected the quality of its waters, making the same deleterious to fish culture and giving it an unpleasant and unpalatable taste as well as supplying coloring matter which detracts from its appearance; and

WHEREAS, During the entire period of time that the said mill has been in operation and so polluted the waters of said stream an earnest and sustained effort has been made by the people of this state by litigation, by negotiations with the owner of the said mill, and by conferences with the competent authorities of the State of California to abate the nuisance caused by the aforesaid contamination of said river, all of which efforts on the part of this state have come to naught by reason of the refusal of the owner of the said mill to take proper steps to remedy the objectional conditions complained of, indifference on the part of the authorities of California, and the failure of proposed litigation for jurisdictional reasons; and

WHEREAS, By reason of the contamination of said river as aforesaid, and the consequent rendering of its waters deleterious to fish culture and destructive of fish life, the State of Nevada has been compelled to establish its fish hatcheries on inaccessible streams; and

WHEREAS, Said Truckee river is an interstate stream with its source in the State of California whence it runs into the State of Nevada, and the source of the nuisance complained of, namely, Floriston, is in the State of California, just across the Nevada line, and, therefore, without the jurisdiction of this state; and

WHEREAS, By reason of the premises, it appears that the conditions herein complained of are proper subjects for regulation and control by the government of the United States: now, therefore, be it

Congress  
and U. S.  
authorities  
requested  
to act

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That our senators and representative in Congress be, and they are hereby, specially urged and memorialized to use every effort within their powers to secure relief in this behalf for the people of this state by presentation of the facts relating to the matters herein complained of to their respective branches of Congress for legislation on the subject, if legislation be required to remedy the evils above set out, and by presentation of said facts to all other authority of the government of the United States competent to act thereon for such relief, to the end that by proper legislation or departmental action all nuisances of this character be abated and forever hereafter prohibited on this interstate stream.

*Resolved*, That Professor S. C. Dinsmore, of the University of Nevada, who for some years past has on behalf of this state been investigating the condition in the preamble of this resolution complained of, and who is, therefore, thoroughly familiar with the conditions surrounding these evils and is in possession of all pertinent facts, details, and data applying thereto, be, and he is hereby, appointed and delegated a special commissioner for the State of Nevada to personally present to the authorities of the government of the United States the information in his possession for their consideration, and to urge their action thereon, and to in all possible ways assist our said senators and representative in Congress in their efforts to secure relief for the people of this state in this behalf.

Special  
agent for  
Nevada  
appointed

*Resolved*, That engrossed copies of this resolution, attested by the officers of the senate and assembly, be at once forwarded by the governor to our senators and representative in Congress, to Honorable Franklin K. Lane, secretary of the interior, and to the president of the United States.

No. 6—*Assembly Joint and Concurrent Resolution.*

[Approved February 26, 1915]

*Resolved by the Assembly of the State of Nevada, the Senate concurring:*

WHEREAS, Since the commencement of war in Europe a number of neutral vessels, carrying cargoes of copper shipped by citizens of the United States to neutral consignees in Italy and Norway, both being neutral countries, have been stopped upon the high seas and taken into English ports under the excuse that such copper was in reality intended for use by Germany and Austria-Hungary, belligerent nations, and that therefore such copper was contraband of war; and

Regarding  
seizure of  
neutral  
vessels car-  
rying copper  
to neutral  
countries,  
by Great  
Britain

WHEREAS, The United States, through its proper departments had heretofore protested against such seizures on the ground that such copper was not contraband of war, and insisted that immediate action be taken by the British government looking to the release of such copper; and

WHEREAS, Many weeks have elapsed since such protests were made on behalf of the government of the United States, and no proper action has been taken by the British government to satisfy such protests; and

WHEREAS, The result of such interference with the shipment of copper has contracted the market, reduced the consumption, and compelled the reduction of the production of the metal; and

WHEREAS, The State of Nevada is a large producer of copper ores, and such action on the part of the British government has reduced the production of such ore about one-half, thereby throwing out of employment many men, and otherwise injuring the prosperity of the state; and

WHEREAS, Protests have heretofore been made and filed with the United States government by the senators for the State of Nevada and special representatives from the state: therefore, be it

Protest by  
legislature  
on behalf of  
Nevada

*Resolved by the Senate and Assembly in the State of Nevada, in joint assembly,* That a protest be, and is hereby, made on behalf of the State of Nevada against such unreasonable action on the part of the British government, and the United States government be, and it is hereby, petitioned to take the necessary action to obtain an immediate release from the conditions hereinbefore mentioned, and the discontinuance of such procedure on the part of the British government.

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No. 7—*Assembly Joint and Concurrent Resolution, concerning the period of time within which assessment or annual work upon mining claims shall be performed.*

[Approved March 6, 1915]

Regarding  
change of  
time for  
assessment  
work on  
unpatented  
mining  
claims

WHEREAS, By an act of Congress of January 22, 1880 (21 Statutes at Large, page 61), it is provided that the period within which the work to be done annually on all unpatented mining claims located since May 10, 1872, shall commence on the first day of January next succeeding the date of location of such claim; and

WHEREAS, Owing to climatic conditions in the State of Nevada and other intermountain mining states, it is difficult and often impossible to mark the boundaries and do and perform the discovery work required by state law upon mining claims in perfecting the location thereof where such locations are made during the winter months, as is frequently the case upon the abandonment of locations by reason of the failure to perform the annual assessment work required by the laws of Congress; and

WHEREAS, The relocation of such mining claims under the present law is made under such conditions that frequent conflicts, by reason of overlapping boundaries, occur, which result in expensive litigation; and

WHEREAS, It would add greatly to the convenience and encouragement of the miner and prospector, minimize his expense, and contribute to the development and exploitation of the mining regions of the west to amend said act of Congress so as to require the time for the commencement of such annual work on the first day of July next succeeding the date of location: now, therefore, be it

Congress  
asked to  
change law

*Resolved by the Assembly, the Senate concurring,* That the Congress of the United States be and is hereby urged to amend the act of January 22, 1880 (21 Statutes at Large, page 61), or to otherwise enact appropriate legislation, providing expressly in terms that the period within which the work to be done annually upon all unpatented mining claims, located since May 10,



1872, shall commence on the first day of July, at noon, next succeeding the date of location of such claim; and be it further

*Resolved*, That a copy of this resolution be sent by the secretary of state of Nevada to the secretary of the interior, to each United States senator, and to each representative in Congress from the mining states, and to the legislatures of the several mining states now in session; and be it further

*Resolved*, That the senators and representative in Congress from the State of Nevada be, and are hereby, requested to prepare, introduce, and urge the legislation recommended by this resolution at the earliest possible date.

No. 8—*Senate Joint and Concurrent Resolution, memorializing the Congress of the United States to enact legislation for governmental appropriation in the erection and maintenance of federal irrigation and reclamation projects and works.*

[Approved March 6, 1915]

WHEREAS, It has been for years the policy of the government of the United States, through legislative enactment in the federal Congress, to appropriate large sums of money for the erection and maintenance of federal buildings throughout the several states of the American union; for the improvement of the rivers, harbors, and inland waterways flowing through the various states of the United States, and for the building and maintenance of public works, dams, and levees at and near the great rivers flowing through and along the eastern, middle west, and southern states of the country; and

Congress asked to appropriate moneys for irrigation and reclamation works without asking return of same by settlers

WHEREAS, The Congress of the United States has liberally appropriated government funds for the aforesaid purposes for the improvement, advancement, growth, prosperity, and general welfare of the American people residing within these states without condition or requirement that they reimburse in whole or in part the government for such appropriations and expenditures; and

WHEREAS, The government of the United States has been engaged, through federal appropriation, in the erection and maintenance of dams and reservoirs in nine of the western and intermountain states, including the State of Nevada, for the purpose of reclaiming and irrigating the arid lands of the west, but that the condition and requirement attached to these appropriations are in effect that the government of the United States shall be reimbursed for these outlays and expenditures by the settler upon the said reclaimed lands, who through excessive payments, for the right to settle, is expected to fully return to the government all appropriations and outlays for these federal reclamation works; and

WHEREAS, Such conditions and exactions are a hardship upon the settler and in innumerable instances have been impossible of performance and have resulted in failure, abandonment, loss,

and discouragement to the settler and in antagonism to and criticism of said reclamation projects; and

WHEREAS, To demand of the settler exorbitant prices for lands for the purpose of requiring him to pay back to the government moneys appropriated for reclamation dams, reservoirs, works, and projects is a gross, unwarranted, and harsh discrimination against the west and an unjustifiable imposition and tax upon the frugality, industry, and energies of the western settler and in direct opposition to the policy of gratuitous governmental appropriation for the benefit of other sections of the country. Now, therefore, be it

Will encourage western immigration

*Resolved by the Senate, the Assembly concurring,* That we urge our representatives in Congress to take immediate steps looking toward appropriate federal legislation for the prompt and speedy relief of the western settler from the unwarranted discriminatory tax and imposition, requiring him to reimburse the government for its outlays in the construction of reclamation and irrigation reservoirs, dams, and works; that they use their utmost endeavors in that behalf so as to encourage settlement in the State of Nevada, and other western arid states, upon projects completed and those intended and to build up and populate these states for the general public welfare; and that such legislation shall contemplate in the main the usual governmental fee and charge for locating upon the public domain, but a liberal policy of gratuitous governmental expenditure in preparing and fitting the lands so entered for successful working and occupancy by the western pioneer. Be it further

*Resolved,* That copies of this resolution be transmitted by the secretary of state of Nevada to our senators and representative in Congress, to the secretary of the interior, and to the president of the United States.

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No. 9—*Assembly Joint and Concurrent Resolution, providing for the appointment of a commission to investigate the question of state publication of school text-books.*

[Approved March 8, 1915]

Commission to investigate feasibility of printing school books by state printing office

WHEREAS, The question of having state school text-books for the primary and grammar grades, printed and produced by the state printing office, has received more or less attention during the past few years by the legislature of the State of Nevada, and the system has been and is now being tried by different states of the United States; and

WHEREAS, It is the desire of this legislature that a thorough investigation be made of the subject as to the feasibility of applying the same to the State of Nevada: now, therefore, be it

*Resolved by the Assembly, the Senate concurring,* That there is hereby created a commission consisting of five members, including the governor, to be appointed by the governor, to investigate

the matters contained in the preamble hereof and report its findings and recommendations to the next session of the legislature.

No. 10—*Assembly Joint and Concurrent Resolution.*

[Approved March 12, 1915]

WHEREAS, Good roads are essential to the progress of our state and the greatest transcontinental highway ever proposed has been located and marked across the State of Nevada, connecting our broad state with our neighbors on the east and our great sister State of California on the west, making the said highway a lasting memorial to the greatest American of recent times; and

Concerning state highway to connect California and Nevada; A. B. 25 of California legislature

WHEREAS, The improvement of our highways will both directly and indirectly benefit our state and facilitate transportation, as well as contribute to the pleasure and recreation of our citizens and meet the great and imperative demand of the people for better highways; and

WHEREAS, A bill has been introduced in the legislature of California known as assembly bill No. 25, making appropriation for the location, survey, and construction of a highway to connect the State of California with Nevada; and

WHEREAS, The citizens of the town of Verdi and of Washoe County and the county commissioners of Washoe County have undertaken to connect with said highway, so to be constructed by the State of California, and to erect the necessary highway bridge across the Truckee river and lay out and improve the same in and across Washoe County and make the same a branch of the Lincoln highway: now, therefore, be it

*Resolved by the Assembly and the Senate of the State of Nevada concurring,* That we congratulate our great sister state of California upon the magnificent system of highways which she has constructed and is constantly adding to, and we commend the public spirit of the citizens and officials of Washoe County in connecting with such highway; and be it further

California congratulated

*Resolved,* That we express the hope that said assembly bill No. 25 will become a law and that thereby, with the aid of our own public-spirited citizens, another enduring link connecting California and Nevada may be forged, making easier that freedom of travel and interchange which is essential to modern life; and be it further

*Resolved,* That the governor of the State of Nevada is requested to transmit to the governor of the State of California a copy of this resolution with the request that it be presented to the legislature of California.

No. 11—*Senate Joint and Concurrent Resolution, memorializing the postmaster-general of the United States.*

[Approved March 15, 1915]

Regarding  
better mail  
service for  
town of  
Eureka

WHEREAS, The people of the town of Eureka, the county-seat of the county of Eureka, State of Nevada, have petitioned the legislature of the State of Nevada to intercede with the United States government in the interests of better mail service to the said town of Eureka; and

WHEREAS, It appears from said petition, and from other evidence adduced, that the United States postoffice department is now providing said town with a triweekly star-route mail service from Palisade, Nevada, in thirty-three hours, at a cost of \$5,970 per annum; and

WHEREAS, An offer has been made by the Eureka-Nevada railway to carry the said mails triweekly from Palisade to Eureka in eight hours for the sum of \$4,650 per annum, and in addition thereto to carry the mail from Palisade to Blackburn, Nevada, free of charge, for which latter service the government is now paying to the said railway \$800 per annum; and

WHEREAS, It is believed that the president of the United States has the inherent power under the decision of the supreme court of the United States in the case of *Cunningham v. Neagle*, 135 U. S., page 1, to provide by executive order for an acceptance of the aforesaid offer of the railway: now, therefore, be it

*Resolved by the Senate, the Assembly concurring,* That the said proposed contract with the Eureka-Nevada railway meets with the hearty approval of the senate and the assembly of Nevada, and that we hereby respectfully request the postmaster-general of the United States to use his good offices in an endeavor to secure said executive order, or such other appropriate action authorizing the consummation of such a contract, thereby saving to the government the sum of \$2,120 per annum and, in addition thereto, relieving the citizens of said town of Eureka from the inconvenience and hardship of the present 33-hour service.

*Resolved further,* That his excellency, the governor, be requested to transmit a copy of the foregoing preamble and resolution to the postmaster-general of the United States.

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No. 12—*Assembly Joint and Concurrent Resolution, to provide for the participation of the State of Nevada in the formal opening of the Dalles-Celilo canal of the Columbia river, Oregon, May 5, 1915.*

[Approved March 18, 1915]

WHEREAS, We recognize and appreciate the interest of the general government of the United States in the improvement of the Columbia river and its navigable tributaries; and

Opening of  
Dalles-Celilo  
canal of the  
Columbia  
river, Oregon

WHEREAS, We particularly commend the expenditure by the Congress of the United States of the vast sum of four million eight hundred and forty thousand dollars in the construction of the Dalles-Celilo canal of the Columbia river, the completion of which will mark the opening of this river and its upper tributaries to uninterrupted navigation for a distance of approximately five hundred miles into the interior of the Columbia basin, having an area of two hundred fifty thousand square miles; and

WHEREAS, There will be a ceremony in connection with the opening of said canal on Wednesday, May 5, 1915, at Big Eddy, Oregon: therefore be it

*Resolved by the Assembly, the Senate concurring,* That, in recognition of the opening of the great river of the west and its tributaries to navigation, and the benefits to be derived by the sisterhood of states of the Columbia basin from the operation of the Dalles-Celilo canal—a portion of the State of Nevada being embraced in said basin—we do hereby declare for the formal participation of the State of Nevada in said opening ceremonies; and be it further

Nevada to be  
represented  
at opening

*Resolved,* That a committee of the legislature of the State of Nevada, consisting of two members of the senate and two members of the assembly, be and is hereby appointed, in connection with the governor and such other state officers as he may designate, to officially represent the State of Nevada at the official opening of the Dalles-Celilo canal at Big Eddy, Oregon, and at the associated celebration to be held in connection therewith at various points in the Columbia basin during the week of May 3 to 5, 1915; and be it further

*Resolved,* That this resolution shall be effective from and after its approval by the governor, and that notice of the participation of this state be sent to the general committee of the Dalles-Celilo canal celebration, 69 Fifth street, Portland, Oregon, and to the Columbia-Celilo-Panama waterways celebration committee, Lewiston, Idaho.

No. 13—*Senate Joint and Concurrent Resolution, asking the Congress of the United States to provide homes for homeless nonreservation Indians in the State of Nevada.*

[Approved March 24, 1915]

Praying  
general  
government  
for relief,  
land, etc., for  
homeless  
nonreserva-  
tion Indians  
in Nevada

WHEREAS, The "Washoes" and many members of other tribes of Indians in this state are homeless and nonreservation Indians; and

WHEREAS, Trachoma, tuberculosis, and other contagious and infectious diseases are common among them, caused largely by bad sanitation, malnutrition, and general lack of proper living, thereby endangering the health of white people with whom they come in contact daily: therefore be it

*Resolved by the Senate, the Assembly concurring,* That the Congress of the United States be and is hereby requested to appropriate the sum of one hundred thousand dollars for the purchase of small parcels of land, water rights, garden tools, and to erect dwellings in this state for said Indians; and be it further

*Resolved,* That the secretary of state be and he is hereby directed to transmit to each of our representatives in the Congress of the United States, and to the secretary of the interior, a copy of these resolutions.

No. 14—*Senate Joint and Concurrent Resolution, relative to the erection of an agricultural building at the University of Nevada at Reno, Nevada.*

[Approved March 24, 1915]

*Resolved by the Senate, the Assembly concurring,* That—

Agricultural  
building at  
University  
of Nevada

WHEREAS, There was introduced at the present session of the legislature, by the ways and means committee of the senate, on March 8, 1915, a bill providing for the erection of an agricultural building at the University of Nevada, at Reno, Nevada, and making an appropriation therefor, which was not put on passage by reason of the scarcity of moneys in the general fund, and the inadvisability of making such an appropriation at this session of the legislature; and

WHEREAS, Said bill authorized and directed the board of regents of the University of Nevada to construct a suitable building upon the university land at Reno, to be known as an agricultural building, and to be used for purposes of instruction and research in agricultural and kindred subjects; and

WHEREAS, It is the sense of this body that the purposes of said bill were laudable and meritorious, and an efficient aid to the education of our people; and

WHEREAS, It is the sense of this body that an appropriation for such purpose cannot be made at this time, for the reasons aforesaid, but that the construction of such a building should be commenced with all possible expedition; and

WHEREAS, It is the sense of this body that the board of



regents of the University of Nevada and the educational purposes of the state ought not to be handicapped in an essential branch of education for the next two years; and

WHEREAS, It has been brought to the attention of this body that the board of regents of the University of Nevada may be able to save some money out of the appropriations to be made by this legislature for the University of Nevada, with which to begin the construction of such a building:

NOW, THEREFORE, It is the sense of this body, and in consonance with the public welfare, that the board of regents of the University of Nevada have the approval of this body in using any moneys which they may be able to save from the appropriations to be made by this legislature toward the commencement of the construction of a suitable building upon university land at Reno, to be known as an agricultural building, and to be used for purposes of instruction and research in agricultural and kindred subjects. And it is hereby recommended to the next session of the legislature that sufficient moneys be appropriated to finish the construction of said building, if the state indebtedness within the warrant of the constitution shall not preclude it, and if the wisdom of that body shall dictate it.

Next legislature asked to make appropriation

No. 15—*Senate Joint and Concurrent Resolution, relative to requesting the Congress of the United States to investigate the causes of unemployment, and to adopt remedial measures therefor.*

[Approved March 24, 1915]

WHEREAS, Unemployment is an evergrowing problem of national magnitude, and the several states cannot, separately and alone, adequately solve the questions incident to the unequal distribution of labor; and

Congress asked to investigate causes of unemployment and adopt remedial measures

WHEREAS, The temperate climatic conditions of the State of Nevada are such as to induce many people from all parts of America to come here during the winter months; and

WHEREAS, Many of those who come are in search of employment and erroneously believe it is easy to secure work, thereby making the Nevada employment problem, like that of our sister state of California, particularly acute: now, therefore, be it

*Resolved*, That the senate and assembly of the State of Nevada hereby jointly request the Congress of the United States to investigate the causes of unemployment and adopt such remedial measures as may be necessary and proper; and be it further

*Resolved*, That copies of this resolution be forthwith transmitted by the secretary of the senate to the president of the senate, and to the speaker of the house of representatives of the United States, and to each of our senators and representative in Congress.

No. 16—*Assembly Joint and Concurrent Resolution, memorializing Congress relative to amending United States mining laws.*

[Approved March 25, 1915]

Apex mining  
law con-  
demned

WHEREAS, Under the present United States statutes the locators of all lode mining claims, their heirs or assigns, have "the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which lies inside of such surface lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of such surface location"; and

WHEREAS, Geological formations, especially as refers to the breaking, bending, faulting, slipping, and other displacements inherent in lodes or veins, are so irregular that it is frequently impossible to positively determine the true top or apex of any given vein; and

WHEREAS, The resultant doubt as to the true apex of a vein has very frequently resulted in litigation destructive to the mining industry, in that it has caused the shutting down of many valuable mines and the enforced idleness of many miners who otherwise would have been working and helping to support the respective communities in which they live; and

WHEREAS, In South Africa, Mexico, and other countries where the apex doctrine does not obtain and the locator of a lode claim, his heirs or assigns, has the exclusive right to only the minerals and metals comprised within the vertical planes formed by the vertical downward projection of all his boundaries, there is an utter absence of such apex or extralateral litigation; and

Square  
system  
commended

WHEREAS, Metal mining men of all classes, almost without exception, are of the opinion that the adoption of mining laws based on the so-called "Square System," as embodied in the laws of the countries above referred to, would eventually correct the troublesome and wasteful litigation herein mentioned, and inure to the permanent benefit of all persons interested in any capacity in the metal mining industry: now, therefore, be it

Congress  
asked to  
change min-  
ing laws

*Resolved by the Assembly, the Senate concurring, That the State of Nevada does hereby memorialize the Congress of the United States to provide by federal law that all locations of lode mining claims hereafter made shall be fifteen hundred (1,500) feet square (or fraction thereof); that the rights of the locator, his heirs or assigns, shall be confined by the vertical downward projection of his surface boundaries; and that in all grants hereafter made there shall be excluded any grant of extralateral or apex rights; and be it further*

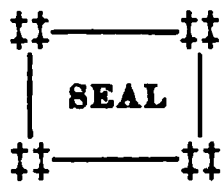
*Resolved, That copies of this resolution be forthwith transmitted to the president of the United States senate, to the*

speaker of the house of representatives, to each of our senators and representative in Congress and to the respective governors of California, Washington, Oregon, Idaho, Utah, Colorado, Montana, Arizona, and New Mexico.

# CERTIFICATE

STATE OF NEVADA, }  
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing laws and resolutions, published in this volume, beginning on page 3 and ending on page 529, are true, full and correct copies of the original enrolled acts and resolutions passed during the Twenty-seventh Session of the Nevada State Legislature (1915), as the same appear on file and of record in this office.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 6th day of May, 1915.

*George Brodigan*  
Secretary of State.

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**CONSTITUTION**

**OF THE**

**UNITED STATES OF AMERICA**

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# Constitution of the United States of America

*We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America:*

## ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives.

Power  
vested in  
Congress

SEC. 2.—1. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

Representa-  
tives, how  
elected

2. No person shall be a representative who shall not have attained the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Who eligible

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and, excluding Indians not taxed, three-fifths of all other persons.

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

Original  
apportion-  
ment of rep-  
resentatives

Vacancies, how filled	4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.
Powers house repre- sentatives	5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.
U. S. senators classified	SEC. 3.—1. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.
Age of eligibility	2. No person shall be a senator who shall not have attained the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.
Who president of senate	3. The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.
Other officers provided	4. The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.
Power of impeach- ment	5. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.
Judgment on impeach- ment	6. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.
Time and place of electing senators and representa- tives	SEC. 4.—1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.
Congress to assemble, when	2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.
Qualifica- tions of, how judged	SEC. 5.—1. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in

such manner, and under such penalties, as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Proceedings  
of published,  
when

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

May  
adjourn,  
when

SEC. 6.—1. The senators and representatives shall receive a compensation for their services, to be ascertained by law; and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

Compensa-  
tion of

Privileged  
from arrest,  
when

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Ineligible to  
other office,  
when

SEC. 7.—1. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Bills for  
revenue to  
originate,  
where

2. Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like man-

How bills  
may become  
laws

ner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Executive  
action  
required,  
when

3. Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. 8. The Congress shall have power—

Powers of  
Congress in  
detail

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

4. To establish an uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish postoffices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court.

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Con-

gress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

Powers of Congress in detail

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SEC. 9.—1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

Inhibitions in detail

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

SEC. 10.—1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all of such laws shall be subject to the revision and control of the Congress.

Inhibitions

3. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

Executive power vested

SECTION 1.—1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:

Electors, number of and how appointed

2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[3. <sup>1</sup>The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

Who eligible to the presidency

4. The Congress may determine the time of choosing the electors,<sup>2</sup> and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

Succession to presidency

6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as presi-

<sup>1</sup>The portion in brackets has been superseded by the 12th amendment.

<sup>2</sup>The time for choosing the electors is the first Tuesday after the first Monday in November.



dent, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them. Compensation of president

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States." Presidential oath

SEC. 2.—1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. President as commander-in-chief

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate and, by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of supreme court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments. Presidential patronage

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States. To report to Congress, when

SEC. 4. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. How removed from office

ARTICLE III

**Judicial power vested**      SECTION 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

**Judicial power limited**      SEC. 2.—1. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state, claiming lands under grants of different states; and between a state, or the citizens thereof, and foreign states, citizens or subjects.

**Original jurisdiction, when**      2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

**Trial by jury granted**      3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crime shall have been committed, but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

**Treason defined**      SEC. 3.—Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

**Treason punished**      2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

**Faith and credit given acts of state**      SECTION 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof.

SEC. 2.—1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SEC. 3.—1. New states may be admitted by the Congress into this Union, but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

New states  
admitted,  
when

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

Powers of  
Congress

SEC. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

Republican  
form of  
government  
guaranteed

## ARTICLE V

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *provided*, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

Constitution  
may be  
amended,  
how

## ARTICLE VI

1. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution as under the confederation.

Debts of con-  
federation  
assumed

2. This constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

Supreme law  
of the land

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

### ARTICLE VII

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Certain  
officers  
bound by the  
constitution

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth.

In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

*President, and Deputy from Virginia.*

*New Hampshire—*

John Langdon,  
Nicholas Gilman.

*Massachusetts—*

Nathaniel Gorham,  
Rufus King.

*Connecticut—*

William Samuel Johnson,  
Roger Sherman.

*New York—*

Alexander Hamilton.

*New Jersey—*

William Livingston,  
David Brearley,  
William Patterson,  
Jonathan Dayton.

*Delaware—*

George Read,  
Gunning Belford, Jr.,  
John Dickinson,  
Richard Bassett,  
Jacob Broom.

*Maryland—*

James McHenry,  
Dan. of St. Thos. Jenifer,  
Daniel Carroll.

*Virginia—*

John Blair,  
James Madison, Jr.

*North Carolina—*

William Blount,  
Richard Dobbs Spaight,  
Hugh Williamson.

*Pennsylvania—*

Benjamin Franklin,  
Thomas Mifflin,  
Robert Morris,  
George Clymer,  
Thomas Fitzsimmons,  
Jared Ingersoll,  
James Wilson,  
Gouverneur Morris.

Attest:

*South Carolina—*

John Rutledge,  
Charles C. Pinckney,  
Charles Pinckney,  
Pierce Butler.

*Georgia—*

William Few,  
Abraham Baldwin.

WILLIAM JACKSON,

*Secretary.*

The following-named delegated from other States were present, but did not sign the constitution:

*Massachusetts—*

Eldridge Gerry,  
Caleb Strong.

*New Jersey—*

Wm. C. Houston.

*Virginia—*

Edmund Randolph,  
George Mason,  
George Wythe,  
James McClurg.

*Connecticut—*

Oliver Ellsworth.

*North Carolina—*

Alexander Martin,  
Wm. R. Davie.

*New York—*

John Lansing, Jr.,  
Robert Yates.

*Maryland—*

John Francis Mercer,  
Luther Martin.

*Georgia—*

Wm. Pierce,  
Wm. Houston.

Of the 63 delegates originally appointed 10 did not attend, 2 of which vacancies were filled. Of those attending, 39 signed and 16 did not.

The constitution was adopted by the convention on the 17th of September, 1787, appointed in pursuance of the resolution of the Congress of the confederation of the 21st of February, 1787, and ratified by the conventions of the several states, as follows:

Delaware, December 7, 1787, unanimously.

Pennsylvania, December 12, 1787, by a vote of 46 to 23.

New Jersey, December 18, 1787, unanimously.

Georgia, January 2, 1788, unanimously.

Connecticut, January 9, 1788, by a vote of 128 to 40.

Massachusetts, February 6, 1788, by a vote of 187 to 168.

Maryland, April 28, 1788, by a vote of 63 to 12.

South Carolina, May 23, 1788, by a vote of 149 to 73.

New Hampshire, June 21, 1788, by a vote of 57 to 47.

Virginia, June 25, 1788, by a vote of 89 to 79.  
New York, July 26, 1788, by a vote of 30 to 25.  
North Carolina, November 21, 1789, by a vote of 193 to 75.  
Rhode Island, May 29, 1790, by a majority of 2.  
Vermont, January 10, 1791, by a vote of 105 to 4.  
Declared ratified by resolution of the old Congress, September 13, 1788.

[The adoption of the constitution was opposed by many who believed that the extensive powers granted by it to Congress and the executive would be dangerous to the liberties of the people. It was, however, finally adopted chiefly through the exertions and writings of James Madison, John Jay, and Alexander Hamilton. Virginia ratified the constitution with the declaration that she was at liberty to withdraw from the Union whenever its powers were used for oppression; and New York, after Hamilton had declared that no state should ever be coerced by an armed force. There were two great parties: The Federalists, in favor of a strong, centralized government, and the Anti-Federalists, supporters of state's rights. Washington and Adams, Federalist leaders, were elected, and the government was organized with Thomas Jefferson, secretary of state; Alexander Hamilton, secretary of the treasury; Henry Knox, secretary of war, and John Jay, chief justice of the supreme court.]

AMENDMENTS TO THE CONSTITUTION

ARTICLE I<sup>1</sup>

**Sectarianism prohibited** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II

**Right to bear arms** A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III

**Soldiery not to be quartered on** No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,

<sup>1</sup>Twelve amendments were proposed by Congress, September 25, 1789. The last ten were adopted, which are the first ten as shown above, and were proclaimed to be in force December 15, 1791.  
The rejected articles were as follows:  
I. After the first enumeration required by the first article of the constitution there shall be one representative for every 30,000 persons, until the number shall amount to one hundred; after which the proportion shall be so regulated by Congress that there



shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## ARTICLE V

No person shall be held to answer for a capital or other-  
wise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Rights of  
persons  
charged with  
crime  
secured

## ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Rights of  
accused  
persons

## ARTICLE VII

In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

The common  
law adopted

## ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Excessive  
bail and  
punishment  
inhibited

shall not be less than one hundred representatives, nor more than one representative for every 40,000 persons, until the number of representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress that there shall not be less than two hundred representatives, nor more than one representative for every 50,000 persons.

II. No law varying the compensation for the services of the senators and representatives shall take effect until an election of representatives shall have intervened.

The twelve proposed amendments were acted upon by the states as follows:

All ratified by Kentucky, Maryland, New Jersey, North Carolina, South Carolina, Vermont, and Virginia—7.

All, excepting Article I, ratified by Delaware—1.

All, excepting Article II, ratified by Pennsylvania—1.

All, excepting Article I and II, ratified by New Hampshire, New York, and Rhode Island—3.

All rejected by Connecticut, Georgia, and Massachusetts—3.

## ARTICLE IX

Certain  
rights  
construed

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

## ARTICLE X

States rights  
defined

The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI<sup>1</sup>

Judicial  
powers of  
the United  
States  
limited

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII<sup>2</sup>

President of  
the United  
States, how  
elected

The electors shall meet in their respective states and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves. They shall name in their ballots the person voted for as president and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve on them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president. The person having the greatest number of votes as vice-president shall

<sup>1</sup>Article XI was proposed by Congress March 12, 1794, and declared in force January 8, 1798.

<sup>2</sup>Article XII was proposed in the first session of the Eighth Congress, and declared in force September 25, 1804.

be the vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

President,  
how elected

### ARTICLE XIII<sup>1</sup>

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Slavery  
abolished

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

### ARTICLE XIV<sup>2</sup>

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Citizenship  
defined and  
rights  
secured

SEC. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein

Representa-  
tion  
regulated

<sup>1</sup>Article XIII was proposed by Congress February 1, 1865, and declared in force December 18, 1865.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33. Ratified conditionally by Alabama and Mississippi—2. Rejected by Delaware and Kentucky—2.

<sup>2</sup>Article XIV was proposed by Congress June 13, 1866, and declared in force July 28, 1869.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33.

Of the above, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia first rejected the amendment, but finally ratified it. New Jersey and Ohio rescinded their ratification.

Rejected by Delaware, Kentucky, and Maryland—3.

No final action was taken by California—1.

shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Certain persons ineligible to office

SEC. 3. No person shall be a senator or representative in Congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

Rebellion debt declared valid

Payment of insurrectionary debt inhibited

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV<sup>1</sup>

Suffrage not to be denied on account of race, color, etc.

SECTION 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI<sup>2</sup>

Income tax

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment

<sup>1</sup>Article XV was proposed by Congress February 26, 1869, and declared in force March 30, 1870.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, and Wisconsin—30.

Of the above, Georgia and Ohio at first rejected, but finally ratified. New York rescinded her ratification.

Rejected by California, Delaware, Kentucky, Maryland, New Jersey, and Oregon—6. No final action was taken by Tennessee—1.

<sup>2</sup>Article XVI was proposed by Congress March 15, 1909, and declared in force February 25, 1913.

Ratified by Alabama, Kentucky, South Carolina, Illinois, Mississippi, Oklahoma, Maryland, Georgia, Texas, Ohio, Idaho, Oregon, Washington, California, Montana, Indiana, Nevada, North Carolina, Nebraska, Kansas, Colorado, North Dakota, Michigan, Iowa, Missouri, Maine, Tennessee, Arkansas, Wisconsin, New York, South Dakota, Arizona, Minnesota, Louisiana, Delaware, and Wyoming—36.

among the several states, and without regard to any census or enumeration.

# ARTICLE XVII<sup>1</sup>

The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

Election of  
U.S. senators  
by people

When vacancies happen in the representation of any state in the senate the executive authority of such state shall issue writs of election to fill such vacancies; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

Executive to  
issue writs of  
election to  
fill vacancies

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution.

<sup>1</sup>Article XVII was proposed by Congress December 4, 1911, and declared in force May 31, 1913.

Ratified by Arizona, Arkansas, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Montana, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, and Wyoming—36.





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**CONSTITUTION**

**OF THE**

**STATE OF NEVADA**

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# Constitution of the State of Nevada

[As amended up to and including November 3, 1914]

## PRELIMINARY ACTION

1. WHEREAS, The act of Congress approved March twenty-first, A. D. eighteen hundred and sixty-four, "To enable the people of the Territory of Nevada to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," requires that the members of the convention for framing said constitution shall, after organization, on behalf of the people of said territory, adopt the constitution of the United States; therefore be it

Preamble

2. *Resolved*, That the members of this convention, elected by the authority of the aforesaid enabling act of Congress, as assembled in Carson City, the capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said territory, the constitution of the United States.

United States constitution adopted

## ORDINANCE

3. In obedience to the requirements of an act of the Congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a constitution and state government, this convention, elected and convened in obedience to said enabling act, do ordain as follows, and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

Ordinance made irrevocable

First—That there shall be in this state neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Slavery inhibited

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said state shall ever be molested, in person or property, on account of his or her mode of religious worship.

Freedom of worship secured

Third—That the people inhabiting said territory do agree, and declare, that they forever disclaim all right and title to

published with good motives, and for justifiable ends, the party shall be acquitted or exonerated.

Right of  
assembly  
and petition

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances.

Military  
establish-  
ment limited

SEC. 11. The military shall be subordinate to the civil power. No standing army shall be maintained by this state in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

Soldier  
quartered,  
how

SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Rep-  
resentation

SEC. 13. Representation shall be apportioned according to population.

Debtor's  
property  
exempt from  
execution

SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Certain  
inhibitions

SEC. 15. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Rights of  
foreigners

SEC. 16. Foreigners who are, or may hereafter become, bona fide residents of this state, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property as native-born citizens.

Slavery  
prohibited

SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state.

Search and  
seizure  
regulated

SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason  
defined

SEC. 19. Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid or comfort. And no person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

## ARTICLE II

### RIGHT OF SUFFRAGE

SECTION 1. All citizens of the United States (not laboring under the disabilities named in this constitution) of the age of twenty-one years and upwards, who shall have actually, and

not constructively, resided in the state six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex.

How and  
by whom the  
franchise  
may be  
enjoyed

[Amended by striking out the word *white* before the word *male*. Proposed and passed at the eighth session of the legislature, January 15, 1877, Statutes of 1877, page 213; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

[Amended by extending the right of suffrage to women. Proposed and passed at the twenty-fifth session of the legislature, March 18, 1911, Statutes of 1911, page 457; agreed to and passed at the twenty-sixth session of the legislature, January 31, 1913, Statutes of 1913, page 581, and approved and ratified by the people at the general election of 1914.]

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, at public expense; nor while confined in any public prison.

Residence  
defined

SEC. 3. The right of suffrage shall be enjoyed by all persons, otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, the votes so cast shall be made to apply to the county and township of which said voters were bona fide residents at the time of their enlistment; *and provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this constitution.

Soldiers and  
sailors may  
vote

SEC. 4. During the day on which any general election shall be held in this state, no qualified elector shall be arrested by virtue of any civil process.

Civil process  
suspended

SEC. 5. All elections by the people shall be by ballot, and all elections by the legislature, or by either branch thereof, shall be "*viva voce*."

Elections by  
ballot

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the legislature shall have power to

Electors  
registered

prescribe by law any other or further rules or oaths as may be deemed necessary as a test of electoral qualifications.

Poll tax  
provided for

SEC. 7. The legislature shall provide by law for the payment of an annual poll tax, of not less than two nor exceeding four dollars, from each male person resident in the state between the ages of twenty-one and sixty years (uncivilized American Indians excepted), to be expended for the maintenance and betterment of the public roads.

[As amended. Proposed and passed at the twenty-third session of the legislature, March 29, 1907, Statutes of 1907, page 450; agreed to and passed at the twenty-fourth session of the legislature, March 16, 1909, Statutes of 1909, page 344, and approved and ratified by the people at the general election of 1910.]

Who may  
vote on  
constitution

SEC. 8. All persons qualified by law to vote for representatives to the general assembly of the Territory of Nevada, on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this constitution.

Recall of  
public officer

SEC. 9. Every public officer in the State of Nevada is subject, as herein provided, to recall from office by the qualified electors of the state, or of the county, district, or municipality, from which he was elected. For this purpose not less than twenty-five per cent (25%) of the qualified electors who vote in the state or in the county, district, or municipality electing said officer, at the preceding election, for justice of the supreme court, shall file their petition in the manner herein provided, demanding his recall by the people; they shall set forth in said petition, in not exceeding two hundred (200) words, the reasons why said recall is demanded. If he shall offer his resignation it shall be accepted and take effect on the day it is offered, and the vacancy thereby caused shall be filled in the manner provided by law. If he shall not resign within five (5) days after the petition is filed, a special election shall be ordered to be held within twenty (20) days after the issuance of the call therefor, in the state or county, district, or municipality electing said officer, to determine whether the people will recall said officer. On the ballot at said election shall be printed verbatim as set forth in the recall petition, the reasons for demanding the recall of said officer, and in not more than two hundred (200) words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of said election shall be finally declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive the highest number of votes at said special election shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer

Petition

Special  
election

Ballots, etc.



with whom the petition for nomination to such office shall be filed, and the same officer shall order the special election when it is required. No such petition shall be circulated or filed against any officer until he has actually held his office six (6) months, save and except that it may be filed against a senator or assemblyman in the legislature at any time after ten (10) days from the beginning of the first session after his election. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless such further petitioners shall pay into the public treasury from which the expenses of said special election have been paid, the whole amount paid out of said public treasury as expenses for the preceding special election. Such additional legislation as may aid the operation of this section shall be provided by law.

In case of  
legislative  
officer

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 22, 1909, Statutes of 1909, page 345; agreed to and passed at the twenty-fifth session, February 2, 1911, Statutes of 1911, page 448; approved and ratified by the people at the general election of 1912.]

### ARTICLE III

#### DISTRIBUTION OF POWERS

SECTION 1. The powers of the government of the State of Nevada shall be divided into three separate departments—the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

Powers of  
government

### ARTICLE IV

#### LEGISLATIVE DEPARTMENT

SECTION 1. The legislative authority of this state shall be vested in the senate and assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such legislature shall be held at the seat of government of the state.

Legislative  
authority  
vested

SEC. 2. The sessions of the legislature shall be biennial, and shall commence on the *third* Monday of January next ensuing the election of members of the assembly, unless the governor of the state shall, in the interim, convene the legislature by proclamation.

To convene,  
when

[Amended by changing *first* Monday to *third* Monday in January. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 151; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 165, and approved and ratified by the people at a special election held February 11, 1889.]

SEC. 3. The members of the assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

Assembly-  
men chosen

**Senators chosen** SEC. 4. Senators shall be chosen at the same time and places as members of the assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

**Who eligible** SEC. 5. Senators and members of the assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of senators shall not be less than one-third nor more than one-half of that of the members of the assembly.

**Powers of each** SEC. 6. Each house shall judge of the qualifications, elections, and returns of its own members, choose its own officers (except the president of the senate), determine the rules of its proceedings, and may punish its members for disorderly conduct, and, with the concurrence of two-thirds of all the members elected, expel a member.

SEC. 7. Either house, during the session, may punish, by imprisonment, any person, not a member, who shall have been guilty of disrespect to the house by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

**Members not to be beneficiaries** SEC. 8. No senator or member of the assembly shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this state which shall have been created, or the emoluments of which shall have been increased, during such term, except such office as may be filled by election by the people.

**Persons not eligible, when** SEC. 9. No person holding any lucrative office under the government of the United States, or any other power, shall be eligible to any civil office of profit under this state; *provided*, that postmasters whose compensation does not exceed five hundred dollars per annum, or commissioners of deeds, shall not be deemed as holding a lucrative office.

**Disqualified from office holding** SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this state, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this state. And the legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony.

**Members exempt from civil process during session of legislature** SEC. 11. Members of the legislature shall be privileged from arrest on civil process during the session of the legislature, and for fifteen days next before the commencement of each session.

SEC. 12. When vacancies occur in either house, the governor shall issue writs of election to fill such vacancy.

**Rules relating to legislative procedure** SEC. 13. A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn, from day to day, and may

compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

SEC. 14. Each house shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either house, on any question, shall, at the desire of any three members present, be entered on the journal.

SEC. 15. The doors of each house shall be kept open during its session, except the senate while sitting in executive session, and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

Rules relating to legislative procedure

SEC. 16. Any bill may originate in either house of the legislature, and all bills passed by one may be amended in the other.

SEC. 17. Each law enacted by the legislature shall embrace but one subject, and matters properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised, or section as amended, shall be reenacted and published at length.

SEC. 18. Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each house; and a majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses, and by the secretary of the senate and clerk of the assembly.

SEC. 19. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the legislature.

Public moneys, how disbursed and accounted for

SEC. 20. The legislature shall not pass local or special laws in any of the following enumerated cases—that is to say: Regulating the jurisdiction and duties of the justices of the peace and of constables; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town plots, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township

Legislative powers restricted

Powers  
restricted

officers; for the assessment and collection of taxes for state, county, and township purposes; providing for opening and conducting elections of state, county, and township officers, and designating the places of voting; providing for the sale of real estate or personal property belonging to minors or other persons under legal disabilities; giving effect to invalid deeds, wills, or other instruments; refunding money paid into the state treasury, or into the treasury of any county; releasing the indebtedness, liability, or obligation of any corporation, association, or person to the state, or to any county, town, or city of this state. But nothing in this section shall be construed to deny or restrict the power of the legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume, and tunnel companies incorporated under the laws of this state or doing business therein.

[As amended. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 152; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 166, and approved and ratified by the people at a special election held February 11, 1889.]

Laws  
general and  
uniform

SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the state.

Suit may  
be brought  
against the  
state

SEC. 22. Provision may be made by general law for bringing suit against the state as to all liabilities originating after the adoption of this constitution.

SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

Lottery  
inhibited

SEC. 24. No lottery shall be authorized by this state, nor shall the sale of lottery tickets be allowed.

County  
government

SEC. 25. The legislature shall establish a system of county and township government, which shall be uniform throughout the state.

SEC. 26. The legislature shall provide by law for the election of a board of county commissioners in each county, and such county commissioners shall, jointly and individually, perform such duties as may be prescribed by law.

Who may be  
excused  
from juries

SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of the state, and all persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

SEC. 28. No money shall be drawn from the state treasury

as salary or compensation to any officer or employee of the legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employee, and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employee of the legislature, or either branch thereof, at such session; *provided*, that this restriction shall not apply to the first session of the legislature.

Compensation fixed by law

SEC. 29. The first regular session of the legislature under this constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the governor exceed twenty days.

Legislative session limited

SEC. 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife, and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated.

Homestead exempt from forced sale

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Separate property of wife

SEC. 32. The legislature shall have power to increase, diminish, consolidate, or abolish the following county officers: County clerks, county recorders, auditors, sheriffs, district attorneys, county surveyors, public administrators, and superintendents of schools. The legislature shall provide for their election by the people, and fix by law their duties and compensation. County clerks shall be ex officio clerks of the courts of record and of the boards of county commissioners in and for their respective counties.

Power of legislature over county officers

[As amended. Proposed and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 161; agreed to and passed at the fourteenth session of the legislature, January 17, 1889, Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

SEC. 33. The members of the legislature shall receive for their services a compensation to be fixed by law, and paid out of the public treasury; but no increase of such compensation shall take effect during the term for which the members

Compensation of legislators

of either house shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the legislature may incur for postage, express charges, newspapers and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; *and furthermore provided*, that the speaker of the assembly, and lieutenant-governor, as president of the senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

Election of  
United  
States  
senators

SEC. 34. In all elections for United States senators, such elections shall be held in joint convention of both houses of the legislature. It shall be the duty of the legislature which convenes next preceding the expiration of the term of such senator, to elect his successor. If a vacancy in such senatorial representation from any cause occur, it shall be the duty of the legislature then in session, or at the succeeding session thereof, to supply such vacancy. If the legislature shall, at any time, as herein provided, fail to unite in a joint convention within twenty days after the commencement of the session of the legislature for the election [of] such senator, it shall be the duty of the governor, by proclamation, to convene the two houses of the legislature in joint convention within not less than five days, nor exceeding ten days, from the publication of his proclamation, and the joint convention when so assembled shall proceed to elect the senator as herein provided. [*See U. S. Constitution, 17th amendment.*]

Executive  
action on  
bills

SEC. 35. Every bill which may have passed the legislature shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which house shall cause such objections to be entered upon its journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sundays excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the governor, within ten days next after the adjournment (Sundays excepted), shall file such bill, with his objections thereto, in the office of the secretary of state, who shall lay the same before the legislature at its next session, in like manner as if it had been returned by the governor; and if the same shall receive the vote of two-thirds of the members elected to each branch of the legislature, upon a vote taken by yeas and nays, to be entered upon the journals of each house, it shall become a law.

May become  
law after  
veto



ARTICLE V

EXECUTIVE DEPARTMENT

SECTION 1. The supreme executive power of this state shall be vested in a chief magistrate, who shall be governor of the State of Nevada. Executive power vested

SEC. 2. The governor shall be elected by the qualified electors at the time and places of voting for members of the legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified. Governor elected

SEC. 3. No person shall be eligible to the office of governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under this constitution, shall not have been a citizen resident of this state for two years next preceding the election. Who eligible to office of governor

SEC. 4. The returns of every election for governor, and other state officers voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the secretary of state, and on the third Monday of December succeeding such election, the chief justice of the supreme court, and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, and open and canvass the election returns for governor and all other state officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected, but in case any two or more have an equal and the highest number of votes for the same office, the legislature shall, by joint vote of both houses, elect one of said persons to fill said office. Disposition of election returns

SEC. 5. The governor shall be commander-in-chief of the military forces of this state, except when they shall be called into the service of the United States. Military authority of governor

SEC. 6. He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices. Duties of governor

SEC. 7. He shall see that the laws are faithfully executed.

SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have the power to fill such vacancy by granting a commission which shall expire at the next election and qualification of the person elected to such office. May fill vacancies

SEC. 9. The governor may, on extraordinary occasions, convene the legislature by proclamation, and state to both houses, when organized, the purpose for which they have been May convene legislature

convened, and the legislature shall transact no legislative business except that for which they were especially convened, or such other legislative business as the governor may call to the attention of the legislature while in session.

Message to  
legislature

SEC. 10. He shall communicate by message to the legislature at every regular session the condition of the state, and recommend such measures as he may deem expedient.

May adjourn  
legislature

SEC. 11. In case of a disagreement between the two houses, with respect to the time of adjournment, the governor shall have power to adjourn the legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next legislature.

Certain  
persons  
ineligible

SEC. 12. No person shall while holding any office under the United States government hold the office of governor, except as herein expressly provided.

Duties of  
governor as  
to fines and  
forfeitures

SEC. 13. The governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the legislature shall fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the governor by his order may direct. The governor shall communicate to the legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon or reprieve.

Personnel of  
the board of  
pardons

SEC. 14. The governor, justices of the supreme court and attorney-general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

Seal of state

SEC. 15. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Grants in  
name of  
state

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the great seal of the state, signed by the governor and countersigned by the secretary of state.

Election and  
duties of  
lieutenant-  
governor

SEC. 17. A lieutenant-governor shall be elected at the same time and places, and in the same manner as the governor, and his term of office and his eligibility shall also be the same. He shall be president of the senate, but shall only

have a casting vote therein. If, during a vacancy of the office of governor, the lieutenant-governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the state, the president pro tempore of the senate shall act as governor until the vacancy be filled or the disability cease.

SEC. 18. In case of the impeachment of the governor, or his removal from office, death, inability to discharge the duties of the said office, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant-governor for the residue of the term, or until the disability shall cease. But when the governor shall, with the consent of the legislature, be out of the state in time of war, and at the head of any military force thereof, he shall continue commander-in-chief of the military forces of the state.

Lieutenant-governor to succeed governor

SEC. 19. A secretary of state, a treasurer, a controller, a surveyor-general, and an attorney-general, shall be elected at the same time and places, and in the same manner as the governor. The term of office of each shall be the same as is prescribed for the governor. Any elector shall be eligible to either of said offices.

State officers, terms of office

SEC. 20. The secretary of state shall keep a true record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature.

Duties of secretary of state

SEC. 21. The governor, secretary of state, and attorney-general shall constitute a board of state prison commissioners, which board shall have such supervision of all matters connected with the state prison as may be provided by law. They shall also constitute a board of examiners, with power to examine all claims against the state (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law, and no claim against the state (except salaries or compensation of officers fixed by law) shall be passed upon by the legislature without having been considered and acted upon by said board of examiners.

Personnel of board of state prison commissioners and board of examiners

SEC. 22. The secretary of state, state treasurer, state controller, surveyor-general, attorney-general, and superintendent of public instruction shall perform such other duties as may be prescribed by law.

## ARTICLE VI

### JUDICIAL DEPARTMENT

SECTION 1. The judicial power of this state shall be vested in a supreme court, district courts and in justices of the peace. The legislature may also establish courts, for municipal purposes only, in incorporated cities and towns.

Judicial power vested

SEC. 2. The supreme court shall consist of a chief justice

Supreme  
court, how  
constituted

and two associate justices, a majority of whom shall constitute a quorum; *provided*, that the legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional associate justices, and if so increased three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

Election of  
justices of

SEC. 3. The justices of the supreme court shall be elected by the qualified electors of the state at the general election, and shall hold office for a term of six years from and including the first Monday of January next succeeding their election; *provided*, that there shall be elected, at the first election under this constitution, three justices of the supreme court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four, and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the justice drawing the shortest term shall be chief justice, and after the expiration of his term, the one having the next shortest term shall be chief justice, after which the senior justice in commission shall be chief justice, and in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be chief justice.

Rank of .  
justices

Jurisdiction  
and  
powers of

SEC. 4. The supreme court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone in all criminal cases in which the offense charged amounts to felony. The court shall also have power to issue writs of *mandamus*, *certiorari*, prohibition, *quo warranto* and *habeas corpus*, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of *habeas corpus* to any part of the state upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court in the state, or before any judge of said courts.

State divided  
into judicial  
districts

SEC. 5. The state is hereby divided into nine judicial districts, of which the county of Storey shall constitute the first; the county of Ormsby the second; the county of Lyon the third; the county of Washoe the fourth; the counties of Nye and Churchill the fifth; the county of Humboldt the

sixth; the county of Lander the seventh; the county of Douglas the eighth, and the county of Esmeralda the ninth. State divided into judicial districts The county of Roop shall be attached to the county of Washoe for judicial purposes, until otherwise provided by law. The legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of the judicial districts and judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided) one district judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven. After the first said election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one district judge in each of the respective judicial districts (except in the first district, as in this section hereinafter provided). The district judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the first judicial district shall be entitled to, and shall have three district judges, who shall possess coextensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed in relation to the judges in other judicial districts. Any one of said judges may preside on the empaneling of grand juries, and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law. Manner of electing judges

SEC. 6. The district courts in the several judicial districts of this state shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons; and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law; they shall also have final appellate jurisdiction in cases arising in justices courts and such other inferior tribunals as may be established by law. The district courts and the judges thereof shall have power to issue writs of *mandamus*, injunction, *quo* Jurisdiction of district courts

*warranto, certiorari*, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of *habeas corpus* on petition by, or in behalf of, any person held in actual custody in their respective districts.

Times of  
holding  
court fixed  
by law

SEC. 7. The times of holding the supreme court and district courts shall be as fixed by law. The terms of the supreme court shall be held at the seat of government; and the terms of the district courts shall be held at the county-seats of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the legislature may by law designate the places of holding courts in any such districts.

Jurisdiction  
of justice  
courts

SEC. 8. The legislature shall determine the number of justices of the peace to be elected in each city and township of the state, and shall fix, by law, their powers, duties and responsibilities; *provided*, that such justices courts shall not have jurisdiction of the following cases, viz: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest) or the value of the property exceeds three hundred dollars. Second—Of cases wherein the title to real estate or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several courts of record in this state; *and provided further*, that justices courts shall have such criminal jurisdiction as may be prescribed by law; and the legislature may confer upon said courts jurisdiction concurrent with the district courts, of actions to enforce mechanics' liens wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The legislature shall also prescribe by law the manner and determine the cases in which appeals may be taken from justices and other courts. The supreme court, the district court, and such other courts as the legislature shall designate, shall be courts of record.

Possible  
municipal  
courts

SEC. 9. Provision shall be made by law prescribing the powers, duties and responsibilities of any municipal court that may be established in pursuance of section one of this article; and also fixing by law the jurisdiction of said court, so as not to conflict with that of the several courts of record.

SEC. 10. No judicial officer, except justices of the peace and city recorders, shall receive to his own use any fees or perquisites of office.

Eligibility  
to office  
limited

SEC. 11. The justices of the supreme court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such judges



by the people, legislature, or otherwise, during said period, to any office other than judicial, shall be void.

SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same. Matters of practice

SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

SEC. 15. The justices of the supreme court and district judges shall each receive quarterly for their services a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that district judges shall be paid out of the county treasuries of the counties composing their respective districts. Compensation of judicial officers

SEC. 16. The legislature at its first session, and from time to time thereafter, shall provide by law that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several courts of record in this state, a special court fee or tax shall be advanced to the clerks of said courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such clerks, and applied towards the payment of the compensation of the judges of said courts, as shall be directed by law. Relating to court fees

SEC. 17. The legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the state for more than ninety consecutive days shall be deemed to have vacated his office. Leave of absence of judicial officers limited

SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several courts of the Territory of Nevada be changed until the election and qualification of the several officers provided for in this article.

## ARTICLE VII

### IMPEACHMENT AND REMOVAL FROM OFFICE

SECTION 1. The assembly shall have the sole power of impeaching. The concurrence of a majority of all the members elected shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. The chief Powers of impeachment conferred

justice of the supreme court shall preside over the senate while sitting to try the governor or lieutenant-governor upon impeachment. No person shall be convicted without the concurrence of two-thirds of the senators elected.

Who may be  
impeached

SEC. 2. The governor and the other state and judicial officers, except justices of the peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment in such case shall not extend further than removal from office, and disqualification to hold any office of honor, profit, or trust, under this state. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

Judicial  
officers, how  
impeached

SEC. 3. For any reasonable cause, to be entered on the journals of each house, which may or may not be sufficient grounds for impeachment, the chief justice and associate justices of the supreme court and judges of the district courts shall be removed from office on the vote of two-thirds of the members elected to each branch of the legislature, and the justices or judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard in person, or by counsel, in his defense; *provided*, that no member of either branch of the legislature shall be eligible to fill the vacancy occasioned by such removal.

SEC. 4. Provision shall be made by law for the removal from office of any civil officer other than those in this article previously specified, for malfeasance or nonfeasance in the performance of his duties.

## ARTICLE VIII

### MUNICIPAL AND OTHER CORPORATIONS

SECTION 1. The legislature shall pass no special act in any matter relating to corporate powers except for municipal purposes; but corporations may be formed under general laws, and all such laws may, from time to time, be altered or repealed.

Property of  
corporations  
taxed

SEC. 2. All real property and possessory rights to the same, as well as personal property in this state, belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals; *provided*, that the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporators in corporations formed under the laws of this state shall not be individually liable for the debts or liabilities of such corporation.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such

laws until the legislature shall pass laws regulating the same, in pursuance of the provisions of this constitution.

SEC. 5. Corporations may sue and be sued in all courts, in like manner as individuals.

SEC. 6. No bank-notes or paper of any kind shall ever be permitted to circulate as money in this state, except the federal currency and the notes of banks authorized under the laws of Congress. Certain paper money interdicted

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

SEC. 8. The legislature shall provide for the organization of cities and towns by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water. Credit of cities and towns limited

SEC. 9. The state shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes. State forbidden to speculate

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint-stock company, corporation, or association whatever, or loan its credit in aid of any such company, corporation, or association, except railroad corporations, companies, or associations. Limitation of county indebtedness

## ARTICLE IX

### FINANCE AND STATE DEBT

SECTION 1. The fiscal year shall commence on the first day of January of each year.

SEC. 2. The legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years.

SEC. 3. For the purpose of enabling the state to transact its business upon a cash basis from its organization, the state may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semiannually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said State to borrow, limited

**Limit raised, when** principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by, or on behalf of, the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense.

SEC. 4. The state shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

ARTICLE X

TAXATION

**Taxation** SECTION 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except when one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds, and, also, excepting such property as may be exempted by law for municipal, educational, literary, scientific, or other charitable purposes.

[As amended. Proposed and passed by the twenty-first session of the Nevada legislature, March 16, 1903, Statutes of 1903, page 240; passed and agreed to by the twenty-second session of the Nevada legislature, March 3, 1905, Statutes of 1905, page 277, and approved and ratified by the people at the general election of 1906.]

ARTICLE XI

EDUCATION

**Education encouraged** SECTION 1. The legislature shall encourage by all suitable means the promotion of intellectual, literary, scientific, mining, mechanical, agricultural and moral improvements, and also provide for the election by the people, at the general election, of a superintendent of public instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law.

**Public schools fostered** SEC. 2. The legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instruction

of a sectarian character therein, may be deprived of its proportion of the interest of the public school fund during such neglect or infraction; and the legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public schools in the act of the thirty-eighth Congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each senator and representative in Congress, and all proceeds of lands that have been or may hereafter, be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under the act of Congress distributing the proceeds of the public lands among the several states of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by Congress on the sale of lands; all fines collected under the penal laws of the state; all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this state, or the bonds of other states of the Union, or the bonds of any county in the State of Nevada; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portion of said interest as may be necessary may be appropriated for the support of the state university.

Lands and funds dedicated to support of

All of certain revenue for educational purposes

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 3, 1909, Statutes of 1909, page 340; agreed to and passed at the twenty-fifth session of the legislature, February 14, 1911, Statutes of 1911, page 453; and approved and ratified by the people at the general election of 1912.]

SEC. 4. The legislature shall provide for the establishment of a state university, which shall embrace departments for agriculture, mechanic arts and mining, to be controlled by a board of regents, whose duties shall be prescribed by law.

State university

SEC. 5. The legislature shall have power to establish normal schools, and such different grades of schools, from the

Normal school

primary department to the university, as in their discretion they may deem necessary, and all professors in said university, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in article XV of this constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

Educational  
special tax

SEC. 6. The legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the state, in addition to the other means provided for the support and maintenance of said university and common schools.

[As amended. Proposed and passed at the twelfth session of the legislature, February 25, 1885, Statutes of 1885, page 161; agreed to and passed at the thirteenth session, March 3, 1887, Statutes of 1887, page 169, and approved and ratified by the people at a special election held February 11, 1889.]

Board of  
regents  
constituted

SEC. 7. The governor, secretary of state, and superintendent of public instruction shall, for the first four years and until their successors are elected and qualified, constitute a board of regents, to control and manage the affairs of the university and the funds of the same, under such regulations as may be provided by law. But the legislature shall at its regular session next preceding the expiration of the term of office of said board of regents, provide for the election of a new board of regents, and define their duties.

Providing  
for organiza-  
tion of  
university

SEC. 8. The board of regents shall, from the interest accruing from the first funds which come under their control, immediately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by act of Congress approved July second, A. D. eighteen hundred and sixty-two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said board of regents in a separate fund, to be appropriated exclusively for the benefit of the first-named departments to the university, as set forth in section four above; and the legislature shall provide that if, through neglect or any other contingency, any portion of the fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said fund, so that the principal of said fund shall remain forever undiminished.

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or university that may be established under this constitution.

SEC. 10. No public funds of any kind or character whatever, state, county, or municipal, shall be used for sectarian purposes.

[Section 10 was added to article XI by amendment. Proposed and



passed at the eighth session of the legislature, February 27, 1877, Statutes of 1877, page 221; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

## ARTICLE XII

### MILITIA

SECTION 1. The legislature shall provide by law for organizing and disciplining the militia of this state, for the effectual encouragement of volunteer corps, and the safe keeping of the public arms. State militia

SEC. 2. The governor shall have power to call out the militia to execute the laws of the state, or to suppress insurrection or repel invasion.

## ARTICLE XIII

### PUBLIC INSTITUTIONS

SECTION 1. Institutions for the benefit of the insane, blind and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be prescribed by law. Sanitary and benevolent institutions fostered

SEC. 2. A state prison shall be established and maintained in such manner as may be prescribed by law; and provision may be made by law for the establishment and maintenance of a house of refuge for juvenile offenders. State prison

SEC. 3. The respective counties of the state shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society. Relating to the indigent

## ARTICLE XIV

### BOUNDARY

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever Congress shall authorize the Boundaries of state

addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this state. *And furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this state.

## ARTICLE XV

### MISCELLANEOUS PROVISIONS

Seat of  
government

SECTION 1. The seat of government shall be at Carson City, but no appropriation for the erection or purchase of capitol buildings shall be made during the next three years.

SEC. 2. Members of the legislature, and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and prescribe to the following oath:

Official oath

"I,-----,do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of-----, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury."

[Amended by striking out the following: "and, further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel; nor been knowingly the bearer of such challenge or acceptance, since the adoption of the constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office." Proposed and passed at the twenty-fifth session of the legislature, March 18, 1911, Statutes of 1911, page 458; agreed to and passed at the twenty-sixth session of the legislature, February 3, 1913, and approved and ratified by the people at the general election of 1914.]

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this constitution. No person who, while a citizen of this state, has, since the adoption of this constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this state, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust; or enjoy the right of suffrage under this constitution. The legislature

shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this state one year, and in the county and district six months next preceding any election to fill either of said offices, or the making of such appointment, shall be eligible to the office of superintendent of public instruction, deputy superintendent of public instruction, school trustee, and notary public.

Females  
eligible to  
certain  
offices

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 12, 1909, Statutes of 1909, page 349; agreed to and passed at the twenty-fifth session, February 21, 1911, Statutes of 1911, page 454; and approved and ratified by the people at the general election of 1912.]

SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

Perpetuities

SEC. 5. The general election shall be held on the Tuesday next after the first Monday in November.

SEC. 6. The aggregate number of members of both branches of the legislature shall never exceed seventy-five.

Legislature  
limited

SEC. 7. All county officers shall hold their offices at the county-seat of their respective counties.

SEC. 8. The legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the supreme court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the supreme court shall take effect and be operative until the opinion of the court in such case shall be filed with the clerk of said court.

Publication  
of statutes  
and reports

SEC. 9. The legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salaries or compensation is fixed in this constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

Salaries may  
be increased  
or diminished

SEC. 10. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

SEC. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment, but the legislature shall not create any office the tenure of which shall be longer than four years, except as herein otherwise provided in this constitution.

Tenure of  
office limited

SEC. 12. The governor, secretary of state, state treasurer, state controller, and clerk of the supreme court shall keep their respective offices at the seat of government.

Office at  
capital

SEC. 13. The enumeration of the inhabitants of this state shall be taken, under the direction of the legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen

Census  
taken, when

hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both houses of the legislature.

Plurality a  
choice

SEC. 14. A plurality of votes given at an election by the people shall constitute a choice, where not otherwise provided by this constitution.

## ARTICLE XVI

### AMENDMENTS

Constitution  
amended,  
how

SECTION 1. Any amendment or amendments to this constitution may be proposed in the senate or assembly; and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the yeas and nays taken thereon, and referred to the legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the legislature voting thereon, such amendment or amendments shall become a part of the constitution.

SEC. 2. If at any time the legislature, by a vote of two-thirds of the members elected to each house, shall determine that it is necessary to cause a revision of this entire constitution, they shall recommend to the electors, at the next election for members of the legislature, to vote for or against a convention, and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a convention, the legislature shall, at its next session, provide by law for calling a convention to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

## ARTICLE XVII

### SCHEDULE

Acts of  
territory  
made valid

SECTION 1. That no inconvenience may arise by reason of a change from a territorial to a permanent state government, it is declared that all rights, actions, prosecutions,

judgments, claims, and contracts, as well of individuals as of bodies corporate, including counties, towns and cities, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Nevada, previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this state, not repugnant to this constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the legislature.

Acts of  
territory  
made valid

SEC. 3. All fines, penalties and forfeitures accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid, and shall pass to, and may be prosecuted in the name of the state, and all bonds executed to the governor of the territory, or to any other officer or court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the governor, or other officer, or court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly; and all property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, claims, and debts of whatsoever description, and all records and public archives of the Territory of Nevada, shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions, which may have arisen, or which may arise before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state.

Prosecutions  
in name of  
state

All offenses committed against the laws of the Territory of Nevada, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity, and other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a state government, may be continued and transferred to and determined by any court of the state which shall have jurisdiction of the subject-matter thereof. All actions at law and suits in equity, and all other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a

Civil actions  
determined  
by state  
courts

state government, shall be continued and transferred to, and may be prosecuted to judgment and execution in any court of the state, which shall have jurisdiction of the subject-matter thereof; and all books, papers and records relating to the same shall be transferred in like manner to such court.

Salaries of  
state officers

SEC. 5. For the first term of office succeeding the formation of a state government, the salary of the governor shall be four thousand dollars per annum; the salary of the secretary of state shall be three thousand six hundred dollars per annum; the salary of the state controller shall be three thousand six hundred dollars per annum; the salary of the state treasurer shall be three thousand six hundred dollars per annum; the salary of the surveyor-general shall be one thousand dollars per annum; the salary of the attorney-general shall be two thousand five hundred dollars per annum; the salary of the superintendent of public instruction shall be two thousand dollars per annum; the salary of each judge of the supreme court shall be seven thousand dollars per annum. The salaries of the foregoing officers shall be paid quarterly, out of the state treasury. The pay of state senators and members of assembly shall be eight dollars per day, for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Apportion-  
ment of  
legislators

SEC. 6. Until otherwise provided by law, the apportionment of senators and assemblymen in the different counties shall be as follows, to wit: Storey County, four senators and twelve assemblymen; Douglas County, one senator and two assemblymen; Esmeralda County, two senators and four assemblymen; Humboldt County, two senators and three assemblymen; Lander County, two senators and four assemblymen; Lyon County, one senator and three assemblymen; Lyon and Churchill Counties, one senator jointly; Churchill County, one assemblyman; Nye county, one senator and one assemblyman; Ormsby County, two senators and three assemblymen; Washoe and Roop Counties, two senators and three assemblymen.

Territorial  
debt  
assumed  
by state

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this state into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the state from contracting the additional indebtedness, as provided in section three of article IX of this constitution.

[Sections 8 to 26, inclusive, are now only historical.]

SEC. 8. The term of state officers (except judicial) elected at the first election under this constitution, shall continue



until the Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors. Obsolete,  
historical  
only

SEC. 9. The senators to be elected at the first election under this constitution shall draw lots, so that the term of one-half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing lots for all senatorial terms, the senatorial representation shall be allotted so that in the counties having two or more senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of senators shall be four years from the day succeeding such general election, and members of the assembly for two years from the day succeeding such general election, and the terms of senators shall be allotted by the legislature in long and short terms, as hereinbefore provided, so that one-half the number, as nearly as may be, shall be elected every two years.

SEC. 11. The term of the members of the assembly elected at the first general election under this constitution shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six.

SEC. 12. The first regular session of the legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven; and the regular sessions of the legislature shall be held thereafter biennially, commencing on the first Monday of January.

[Section 12 superseded by section 2, article IV.]

SEC. 13. All county officers under the laws of the Territory of Nevada at the time when the constitution shall take effect, whose offices are not inconsistent with the provisions of this constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the probate judges of the several counties, respectively, shall continue in office until the election and qualification of the district judges of the several counties

Obsolete,  
historical  
only

or judicial districts; *and provided further*, that the term of office of the present county officers of Lander County shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the probate judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen hundred and sixty-four, and there shall be an election for county officers of Lander County at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified.

SEC. 14. The governor, secretary, treasurer, and superintendent of public instruction of the Territory of Nevada shall each continue to discharge the duties of their respective offices after the admission of this state into the Union, and until the time designated for the qualification of the above-named officers to be elected under the state government; and the territorial auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the state controller; *provided*, that the said officers shall each receive the salaries, and be subject to the restrictions and conditions provided in this constitution; *and provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

SEC. 15. The terms of the supreme court shall, until provision be made by law, be held at such times as the judges of the said court, or a majority of them, may appoint. The first terms of the several district courts (except as hereinafter mentioned) shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the district court in the fifth judicial district shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the county of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five, in the county of Churchill. The terms of the fourth judicial district court shall, until otherwise provided by law, be held at the county-seat of Washoe County, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

SEC. 16. The judges of the several district courts of this state shall be paid, as hereinbefore provided, salaries at the following rates per annum: First judicial district (each judge), six thousand dollars; second judicial district, four thousand dollars; third judicial district, five thousand dollars; fourth judicial district, five thousand dollars; fifth judicial district, thirty-six hundred dollars; sixth judicial district, four thousand dollars; seventh judicial district, six thousand

dollars; eighth judicial district, thirty-six hundred dollars; ninth judicial district, five thousand dollars.

Obsolete,  
historical  
only

SEC. 17. The salary of any judge in said judicial districts may, by law, be altered or changed, subject to the provisions contained in this constitution.

SEC. 18. The governor, lieutenant-governor, secretary of state, state treasurer, state controller, attorney-general, surveyor-general, clerk of the supreme court, and superintendent of public instruction, to be elected at the first election under this constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election, and shall continue in office until the first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively.

SEC. 19. The judges of the supreme court and district judges to be elected at the first election under this constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election.

SEC. 20. All officers of state, and district judges first elected under this constitution shall be commissioned by the governor of this territory, which commission shall be countersigned by the secretary of the same, and shall qualify, before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this territory; and also the state controller and state treasurer shall each respectively, before they qualify and enter upon the discharge of their duties, execute and deliver to the secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the governor of the Territory of Nevada, and shall also execute and deliver to the secretary of state such other or further official bond or bonds as may be required by law.

SEC. 21. Each county, town, city, and incorporated village shall make provision for the support of its own officers subject to such regulations as may be prescribed by law.

SEC. 22. In case the office of any justice of the supreme court, district judge, or other state officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the governor, until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the probate courts of the several counties at the time when, under the provisions of this constitution, said probate courts are to be abolished, shall be transferred to and determined by the district courts of such counties respectively.

Obsolete,  
historical  
only

SEC. 24. For the first three years after the adoption of this constitution, the legislature shall not levy a tax for state purposes exceeding one per cent per annum on the taxable property in the state; *provided*, the legislature may levy a special tax, not exceeding one-fourth of one per cent per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid.

SEC. 25. The county of Roop shall be attached to the county of Washoe for judicial, legislative, revenue and county purposes until otherwise provided by law.

SEC. 26. At the first regular session of the legislature to convene under the requirements of this constitution, provision shall be made by law for paying for the publication of six hundred copies of the debates and proceedings of this convention in book form, to be disposed of as the legislature may direct; and the Hon. J. Neely Johnson, president of this convention, shall contract for, and A. J. Marsh, official reporter of this convention, under the direction of the president, shall supervise the publication of such debates and proceedings. Provision shall be made by law at such first session of the legislature for the compensation of the official reporter of this convention, and he shall be paid in coin or its equivalent. He shall receive, for his services in reporting the debates and proceedings, fifteen dollars per day during the session of the convention, and seven and one-half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication; and for supervising and indexing such publication the sum of fifteen dollars per day during the time actually engaged in such service.

## ARTICLE XVIII

### RIGHT OF SUFFRAGE

Right of  
suffrage  
not to be  
withheld

SECTION 1. The rights of suffrage and office-holding shall not be withheld from any male citizen of the United States by reason of his color or previous condition of servitude.

[Article XVIII was proposed and passed at the eighth session of the legislature, January 15, 1877, Statutes of 1877, page 213; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

## ARTICLE XIX

### INITIATIVE AND REFERENDUM

Law to be  
submitted to  
people for  
approval or  
disapproval  
on petition  
of 10 per cent  
of voters

SECTION 1. Whenever ten per centum or more of the voters of this state, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the legislature be submitted to a vote of the people, the officers charged with the duty of announcing and proclaiming elections, and of certifying:

nominations, or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a state or congressional officer is to be voted for, or wherein any question may be voted on by the electors of the entire state.

SEC. 2. When a majority of the electors voting at a state election shall by their votes signify approval of a law or resolution, such law or resolution shall stand as the law of the state, and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

Majority  
vote to  
approve or  
disapprove

[Article XIX was proposed and passed at the twentieth session of the legislature, March 15, 1901, Statutes of 1901, page 139; agreed to and passed at the twenty-first session of the legislature, March 3, 1903, and approved and ratified by the people at the general election of 1904.]

SEC. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly.

Initiative

The first power reserved by the people is the initiative, and not more than ten per cent (10%) of the qualified electors shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved

Percentage  
of electors  
required

Initiative

Enacting  
clause

Referendum

Percentage  
of electors

by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The whole number of votes cast for justice of the supreme court at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provision of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 22, 1909, Statutes of 1909, page 347; agreed to and passed at the twenty-fifth session, February 1, 1911, Statutes of 1911, page 446; and approved and ratified by the people at the general election of 1912.]

## ELECTION ORDINANCE

WHEREAS, The enabling act passed by Congress and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the convention charged with the duty of framing a constitution for a state government "shall provide by ordinance for submitting said constitution to the people of the Territory of Nevada for their ratification or rejection," on a certain day prescribed therein; therefore this convention, organized in pursuance of said enabling act, do establish the following



## ORDINANCE

<sup>1</sup>SECTION 1. The governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of the constitution to the people of said territory, for their approval or rejection, on the day provided for such submission by act of Congress; and this constitution shall be submitted to the qualified electors of said territory, in the several counties thereof, for their approval or rejection, at the time provided by such act of Congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said territory for the election of state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors. Obsolete,  
historical  
only

SEC. 2. All persons qualified by the laws of said territory to vote for representatives to the general assembly on the said twenty-first day of March, including those in the army of the United States, both within and beyond the boundaries of said territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid army of the United States, within and without the boundaries of said territory, may vote for the adoption or rejection of said constitution, on the day last above named. In voting upon this constitution each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or printed "Constitution—Yes" or "Constitution—No," or such other words as shall clearly indicate the intention of the elector.

SEC. 3. All persons qualified by the laws of said territory to vote on the Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, including those in the army of the United States, within and beyond the boundaries of said territory, may vote on the day last above named for state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors to the electoral college.

SEC. 4. The elections provided in this ordinance shall be holden at such places as shall be designated by the boards of commissioners of the several counties in said territory. The judges and inspectors of said elections shall be appointed by said commissioners, and the said elections shall be conducted in conformity with the existing laws of said territory in relation to holding the general election.

SEC. 5. The judges and inspectors of said elections shall carefully count each ballot immediately after said elections and forthwith make duplicate returns thereof to the clerks of the said county commissioners of their respective counties;

<sup>1</sup>This ordinance is now only historical.

Obsolete,  
historical  
only

and said clerks, within fifteen days after said election, shall transmit an abstract of the votes, including the soldiers' vote as herein provided, given for state officers, supreme and district judges, representative in Congress and three presidential electors, enclosed in an envelope, by the most safe and expeditious conveyance, to the governor of said territory, marked "Election Returns."

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the board of canvassers, to consist of the governor, United States district attorney, and chief justice of said territory, or any two of them, to canvass the returns in the presence of all who may wish to be present, and if a majority of all the votes given upon this constitution shall be in its favor, the said governor shall immediately publish an abstract of the same, and make proclamation of the fact in some newspaper in said territory, and certify the same to the president of the United States, together with a copy of the constitution and ordinance. The said board of canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected state officers, judges of the supreme and district courts, representative in Congress and three presidential electors. When the president of the United States shall issue his proclamation declaring this state admitted into the Union on an equal footing with the original states, this constitution shall thenceforth be ordained and established as the constitution of the State of Nevada.

SEC. 7. For the purpose of taking the vote of the electors of said territory who may be in the army of the United States, the adjutant-general of said territory shall, on or before the fifth day of August next following, make out a list in alphabetical order, and deliver the same to the governor, of the names of all the electors, residents of said territory, who shall be in the army of the United States, stating the number of the regiment, battalion, squadron, or battery to which he belongs, and also the county and township of his residence in said territory.

SEC. 8. The governor shall classify and arrange the aforesaid returned list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron, and battery from said territory, in the service of the United States, and shall, on or before the fifteenth day of August following, transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron, and battery a list of electors belonging thereto, which said list shall specify the name, residence, and rank of each elector, and the company to which he belongs, if to any, and also the county and

township to which he belongs, and in which he is entitled to vote.

Obsolete.  
historical  
only

SEC. 9. Between the hours of nine o'clock a. m. and three o'clock p. m., on each of the election days hereinbefore named, a ballot box or suitable receptacle for votes shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said territory, in the army of the United States, may be on that day, at which time and place said elector shall be entitled to vote for all officers for which, by reason of their residence in the several counties of said territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken and held to have been given by them in the respective counties and townships in which they are resident.

SEC. 10. Each ballot deposited for the adoption or rejection of this constitution, in the army of the United States, shall have distinctly written or printed thereon "Constitution—Yes," or "Constitution—No," or words of a similar import; and further, for the election of state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting as aforesaid shall be checked upon said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall count the votes and compare them with the checked lists immediately after the closing of the ballot box.

SEC. 11. All the ballots cast, together with the said voting list, checked as aforesaid, shall be immediately sealed up and sent forthwith to the governor of said territory at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the governor at Carson City, by mail or otherwise, the day following the transmission of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several county clerks in said territory, an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The forms of returns of votes to be made by the commanding officer to the governor and county clerks of said territory shall be in substance as follows, viz:

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historical  
only

Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery).  
(For first election—On the constitution.)

I, -----, hereby certify that on the first Wednesday of September, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery) cast the following number of votes for and against the constitution for the State of Nevada, viz.:

For constitution—(number of votes written in full and in figures).

Against constitution—(number of votes written in full and in figures).

(Second election—For state and other officers.)

I, -----, hereby certify that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above) cast the following number of votes for the several officers and persons hereinafter named, viz.:

For governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person).

For lieutenant-governor—(names of candidates, number of votes cast for each written out and in figures as above).

Continue as above until the list is completed.

Attest: I. A. B.

Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be).

SEC. 13. The governor of this territory is requested to furnish each commanding officer, within and beyond the boundaries of said territory, proper and sufficient blanks for said returns.

SEC. 14. The provisions of this ordinance in regard to the soldiers' vote shall apply to future elections under this constitution, and be in full force until the legislature shall provide by law for taking the votes of citizens of said territory in the army of the United States.

Done in convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth, and signed by the delegates.

J. NEELY JOHNSON,

*President of the Convention and Delegate from Ormsby County.*

WM. M. GILLESPIE, *Secretary.*

Henry B. Brady.....Delegate from Washoe County  
E. F. Dunne.....Delegate from Humboldt County  
J. G. McClinton.....Delegate from Esmeralda County  
G. N. Folsom.....Delegate from Washoe County

F. H. Kennedy .....	Delegate from Lyon County
W. W. Belden.....	Delegate from Washoe County
F. M. Proctor.....	Delegate from Nye County
Albert T. Hawley.....	Delegate from Douglas County
Geo. L. Gibson.....	Delegate from Ormsby County
F. Tagliabue.....	Delegate from Nye County
Wm. Wetherill.....	Delegate from Esmeralda County
John A. Collins.....	Delegate from Storey County
Jas. A. Banks.....	Delegate from Humboldt County
J. S. Crosman.....	Delegate from Lyon County
Saml. A. Chapln .....	Delegate from Storey County
C. M. Brosnan .....	Delegate from Storey County
John H. Kinkead.....	Delegate from Ormsby County
Geo. A. Hudson.....	Delegate from Lyon County
Israel Crawford.....	Delegate from Ormsby County
A. J. Lockwood.....	Delegate from Ormsby County
H. G. Parker.....	Delegate from Lyon County
J. H. Warwick.....	Delegate from Lander County
C. E. DeLong.....	Delegate from Storey County
Lloyd Frizell.....	Delegate from Storey County
Geo. A. Nourse.....	Delegate from Washoe County
R. S. Mason.....	Delegate from Esmeralda County
Almon Hovey.....	Delegate from Storey County
Thomas Fitch.....	Delegate from Storey County
J. W. Haines.....	Delegate from Douglas County

List of  
delegates to  
constitu-  
tional  
convention





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# CERTIFICATE

STATE OF NEVADA, }  
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the existing Constitution of the State of Nevada, as the same appears in the enrolled acts in my office.

††—††  
| SEAL |  
††—††

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 6th day of May, A. D. 1915.

*George Brodigan*

*Secretary of State.*





STATE OF NEVADA

ANNUAL REPORT

OF THE

STATE TREASURER

---

1913

---

WM. McMILLAN, State Treasurer

CARSON CITY, NEVADA

STATE PRINTING OFFICE : : : JOE FARNSWORTH, SUPERINTENDENT

1914



**TERRITORIAL TREASURER**

J. H. KINKEAD .....1861-1864

**STATE TREASURERS**

EBEN RHOADES .....1865-1869  
C. C. BATTERMAN .....1869-1870  
JERRY SCHOOLING .....1871-1878  
L. L. CROCKETT .....1879-1882  
GEORGE TUFLY.....1883-1890  
GEORGE W. RICHARD .....1890  
J. F. EGAN.....1891-1893  
GEORGE W. RICHARD .....1894  
W. J. WESTERFIELD .....1895-1898  
D. M. RYAN.....1899-1910  
WM. McMILLAN .....1911-1914

**TREASURY DEPARTMENT**

WM. McMILLAN.....State Treasurer  
EDWARD D. VANDERLIETH.....Deputy Treasurer

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# STATE TREASURER'S REPORT FOR 1913

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STATE OF NEVADA, TREASURY DEPARTMENT,  
CARSON CITY, December 31, 1913.

*To His Excellency, TASKER L. ODDIE, Governor of Nevada.*

SIR: I have the honor to submit herewith my Annual Report for the year 1913, setting forth the financial transactions of this department of the State Government, together with tabular exhibits of the condition of the various funds, and all such other information as is necessary for a complete understanding of the present financial condition of the State.

Respectfully,

WM. McMILLAN,  
*State Treasurer.*

## REPORT OF STATE TREASURER

**EXHIBIT A**  
**Apportionment of Cash in Treasury, January 1, 1913**

Date	Apportioned to	Totals	Total
1913	Balance in Treasury, January 1, 1913.....		\$579,023.23
Jan. 1	General Fund .....		
	<i>Apportioned as follows:</i>		
	.....	\$92,911.96	
	.....	191,702.34	
	.....	58,933.04	
	.....	17,924.63	
	.....	23,912.49	
	.....	1,436.86	
	.....	2,082.94	
	.....	5,226.70	
	.....	1,376.00	
	.....	1,065.92	
	.....	7,480.04	
	.....	2,861.07	
	.....	11,233.84	
	.....	674.84	
	.....	15,100.40	
	.....	38,957.07	
	.....	4,070.43	
	.....	17,611.90	
	.....	3,614.23	
	.....	24,437.84	
	.....	25,084.13	
	.....	504.30	
	.....	258.28	
	.....	416.70	
	.....	260.06	
	.....	2.38	
	.....	40.00	
	Legislative Fund .....		
	Total .....		\$579,023.23



# REPORT OF STATE TREASURER

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## EXHIBIT B Showing Receipts for the year 1913

Date	Source of revenue	Appropriated to	Amount	Total
1913 Dec. 31				
	Bank licenses	General Fund	\$11,516.65	
	Water applications	General Fund	625.00	
		General Fund	53,914.90	
		General Fund	1,571.00	
		General Fund	1,118.65	
		General Fund	10.00	
		General Fund	3,775.00	
		General Fund	2,690.35	
		General Fund	1,111.45	
		General Fund	13.63	
		General Fund	3.00	
		General Fund	5.00	
		General Fund	150.00	
		General Fund	2,000.00	
		General Fund	116,451.78	
		General Fund	1,749.10	\$196,695.46
		State School Fund	\$86,080.16	
		State School Fund	300.00	
		State School Fund	3,219.66	
		State School Fund	350.00	
		State School Fund	516.10	
		State School Fund	2,043.31	
		State School Fund	36.16	
		State School Fund	44,000.00	
		State School Fund	161,000.00	
		State School Fund	238,355.00	515,819.33
		General School	\$67,594.19	
		General School	3,214.80	
		General School	19,000.00	
		General School	4,350.00	
		General School	3,872.90	
		General School	22,942.55	
		General School	8,982.66	
		General School	7,081.50	
		General School	3,183.25	
		General School	52.45	
		General School	1,341.65	
		General School	167.16	
		General School	7,071.72	147,554.02
		Carried forward		\$860,065.56

## REPORT OF STATE TREASURER.

## Receipts—Continued

Date	Sources of revenue	Appropriated to	Amount	Total
	Brought forward			\$390,003.86
	Interest on	Interest	\$1,075.06	
	Interest on	Interest	580.00	
	Interest on	Interest	508.76	
	Interest on	Interest	704.00	
	Interest on Massachusetts 3½ per cent bonds	Interest	1,870.00	
	Redemption of Nevada 4 per cent bonds	Interest	60.00	
		Interest	175.00	
		Interest	223.70	
			4,941.53	
	Interest on del	Contingent University Fund	\$537.64	
	Interest on Ne	Contingent University Fund	233.35	
	Interest on Ne	Contingent University Fund	20.00	
	Refunding of	Contingent University Fund	3.25	
	Refunding of	Contingent University Fund	554.00	
	Refunding of	Contingent University Fund	490.00	
			1,843.34	
	Sale of lands	University Fund, 90,000-Acre Grant	230.00	
	Redemption of Nevada 4 per cent bonds	University Fund, 90,000-Acre Grant	7,000.00	
	Refunding of Nevada 4 per cent bonds	University Fund, 90,000-Acre Grant	21,000.00	
			28,000.00	
	Sale of lands	State University Fund	\$10.00	
	Refunding of Nevada 4 per cent bonds	State University Fund	1,010.00	
			1,010.00	
	Secretary of State, fees	State Library Fund	\$29,596.96	
	Sale of Nevada Reports	State Library Fund	521.76	
	Attorneys' licenses	State Library Fund	280.00	
			30,403.70	
	t) Hospital for Mental Diseases		130.00	
			540.00	
			2,416.06	
			5,735.57	
			3,128.50	
			15.57	
			3,322.94	
			14.76	
	Automobile licenses			
	Receipts			
	Purchase of Nevada 6 per cent bonds	Redemption Fund	\$245,000.00	
	Purchase of Nevada 6 per cent bonds	Redemption Fund	39,000.00	
	Purchase of Nevada 6 per cent bonds	Redemption Fund	16,000.00	
	Interest on bonds	Redemption Fund	976.73	
			300,976.73	

County payments to District Judges' Salary Fund—		
Churchill	District Judges' Salary Fund	\$3,000.00
Clark	District Judges' Salary Fund	746.30
Douglas	District Judges' Salary Fund	672.20
Elko	District Judges' Salary Fund	3,792.40
Esmeralda	District Judges' Salary Fund	4,827.06
Eureka	District Judges' Salary Fund	2,082.80
Humboldt	District Judges' Salary Fund	4,000.00
Lander	District Judges' Salary Fund	1,917.20
Lincoln	District Judges' Salary Fund	455.30
Lyon	District Judges' Salary Fund	2,222.63
Mineral	District Judges' Salary Fund	2,152.53
Nye	District Judges' Salary Fund	7,000.01
Ormsby	District Judges' Salary Fund	552.30
Storey	District Judges' Salary Fund	632.90
Washoe	District Judges' Salary Fund	8,000.00
White Pine	District Judges' Salary Fund	4,000.00
County Settlements (Appportioned)		\$6,000.06
County Settlements (Unappportioned)		
		\$350,908.56
		7,751.66
		58,508.84
		11,920.84
		23,274.10
		11,920.84
		57,594.84
		389.63
		1,196.98
		9,402.59
		7,061.95
		23,207.77
		568,274.80
	Less balance in fund for 1912	\$98,341.77
		24,457.84
	Unappportioned for 1913	71,853.93
Total receipts		\$1,833,769.62

**EXHIBIT C**  
**Showing Disbursements for the year 1914**

Date	Paid from	Paid for	Amount	Total
1914				
Dec. 31....	General Fund.		\$4,000.00	
			2,750.00	
			54.70	
			568.85	
			2,400.00	
			1,200.00	
			1,800.00	
			1,100.00	
			1,270.98	
			2,400.00	
			2,400.00	
			2,000.00	
			4,800.00	
			1,800.00	
			2,400.00	
			2,000.00	
			1,200.00	
			2,400.00	
			2,000.00	
			1,200.00	
			4,500.00	
			2,400.00	
			1,200.00	
			1,785.98	
			3,000.00	
			1,300.00	
			12,632.26	
			2,078.19	
			1,086.77	
			700.00	
			81.18	
			123.01	
			435.25	
			2,475.00	
			3,000.00	
			1,800.00	
			1,500.00	
			3,000.00	
			224.00	
			3,000.00	
			11,452.99	
			2,289.45	
			945.00	
			18.17	

323.85	
3,600.00	
2,200.00	
1,100.00	
310.68	
1,622.85	
4,137.55	
635.64	
2,600.00	
2,200.00	
3,499.96	
2,750.00	
2,737.32	
1,733.43	
2,975.35	
2,600.00	
1,360.00	
1,841.15	
1,200.00	
1,200.00	
1,925.00	
1,000.00	
1,564.95	
100.00	
2,400.00	
77.50	
57.45	
733.51	
124.00	
70.00	
240.00	
497.98	
11,500.00	
1,375.00	
2,400.00	
2,196.50	
3,453.95	
3,600.00	
2,145.00	
705.56	
1,167.59	
333.00	
622.71	
103.15	
2,000.00	
2,000.00	
2,000.00	
2,000.00	
2,000.00	
612.60	
\$191,510.54	

Carried forward

Disbursements--Continued

Date	Paid from	Paid for	Amount	Total
1913	Brought forward		\$197,837.65	
Dec 31	General Fund	Salary of Secretaries of Railroad Commissioners	2,400.00	
			1,275.00	
			1,316.70	
			3,337.73	
			3,600.00	
			1,622.62	
			800.00	
			500.00	
			300.00	
			1,500.00	
			3,000.00	
		tion	144.00	
			300.00	
			2,054.39	
			83.63	
			435.55	
			477.10	
		1	2,000.00	
		2	2,000.00	
		3	2,000.00	
		4	2,000.00	
		5	2,000.00	
			327.64	
			708.41	
			797.12	
			686.92	
			308.10	
			1,320.00	
			1,300.00	
			1,300.00	
			1,300.00	
			5,040.00	
			4,741.86	
			4,253.67	
			2,023.69	
			61.90	
			130.00	
			45.50	
			160.00	
			1,020.00	
			2,533.43	
			61.60	
			1,500.00	
			1,085.73	
			1,350.35	



Expenses of Nevada Fish Commission.....	8,483.84
Support of University of Nevada .....	25,910.14
	4,272.00
	1,000.00
	2,413.50
	7,663.32
	61.49
	1,406.72
	4,323.51
	5.00
	430.61
	1,410.96
	4,741.79
	458.00
	742.50
	458.00
	2,745.29
	217.47
	4,783.55
	3,972.04
	7,909.55
	2,000.00
	285.43
	2,400.00
	2,118.81
	4,000.00
	1,500.00
	5,212.87
	1,890.65
	278.80
	3,600.00
	3,400.00
	1,679.00
	1,800.00
	1,800.00
	1,507.20
	155.00
	6,914.20
	900.00
	243.00
	137.85
	10.00
	233.95
	20.26
	150.00
	2,500.00
Court .....	13.77
	62.50
	850.00
	3,825.65
Carried forward.....	\$335,535.80

REPORT OF STATE TREASURER

Disbursements—Continued

Date	Paid from	Paid for	Amount	Total
1913 Dec. 31	Brought forward		\$395,535.30	
	General Fund	Deficiencies for year 1912	5,329.86	940,865.16
	State School Fund		\$2,400.00	
			1,500.00	
			1,500.00	
			900.00	
			2,029.00	
			22.50	
			50.00	
			155,474.26	
			129,825.00	
			245,000.00	
			6,567.70	
			19,516.10	
			77,162.50	
	General School Fund		\$2,000.00	642,947.06
			900.00	
			647.36	
			216,969.12	
	State Library Fund	Support		220,506.48
	Judicial Salary Fund	Salary		12,712.64
	District Judges' Salary Fund	Salary		17,375.00
	Orphans' Home Fund	Support		45,656.70
	State Prison Fund	Support		18,652.00
	Indigent Insane Fund	Support		69,508.82
	Interest Account, 90,000-Acre Grant	Support		48,438.58
	Contingent University Fund	Support		294.10
	Legislative Fund	Support		55,441.67
	Sheep Inspection Fund	Support		70,167.72
	Carey Act Trust Fund	Salary	\$1,200.00	11,876.42
		Salary of Clerk	970.90	
		Salary of Typist	124.90	
		Expenses of office	29.00	
	Emergency School Fund			2,216.80
	General Road Fund			4,250.00
	Automobile Road Fund			3,255.98
	Normal Training Fund		\$1,166.70	311.34
			1,000.06	
			600.00	
			383.30	
				3,100.90

Territorial Interest and Sinking Fund.....	Interest on Nevada 5 per cent irredemable bond.....	19,000.00
State Interest and Sinking Fund.....	Interest and redemption, Nevada 4 per cent bonds.....	22,299.83
State Prison Interest and Sinking Fund.....	Interest and redemption, Nevada 4 per cent bonds.....	27,611.90
Contingent University Fund, No. 1.....	Interest and redemption, Nevada 4 per cent bonds.....	4,110.00
Contingent University Fund, No. 2.....	Interest and redemption, Nevada 4 per cent bonds.....	7,200.00
University Fund, 90,000-Acre Grant.....	Redemption of Nevada 4 per cent bonds.....	39,000.00
State University Fund.....	Redemption of Nevada 4 per cent bonds.....	16,000.00
State Loan Interest and Redemption Fund.....	Purchase of Nevada 5 per cent bonds.....	
	Accrued interest.....	300,976.73
Total disbursements.....		\$2,058,393.13

## REPORT OF STATE TREASURER

**EXHIBIT D**  
**Showing Receipts and Disbursements for the year 1913**

[illegible]

**EXHIBIT B**  
**Showing Transfers during the year 1913**

1913 Dec. 31	From General Fund to Judicial Salary Fund	\$17,870.00	
	From General Fund to Orphans' Home Fund	10,237.91	
	From General Fund to State Prison Fund	62,867.50	
	From General Fund to Indigent Insane Fund	48,516.29	
	From General Fund to	76,000.00	
	From General Fund to	1,806.56	
	From General Fund to	135.34	
	From General Fund to	750.00	
	From General Fund to	750.00	
	From General Fund to Normal Training Fund, Eureka County	900.00	
	From General Fund to Normal Training Fund, Nye County	900.00	\$216,732.59
	From	\$4,832.29	
	From	839.63	
	From	1,198.98	
	From	7,615.84	
	From	11,990.84	
	From	135.34	
	From		26,172.91
	From		6,000.00
	From		1,750.00
	From		28
	From		3,614.33
	From		14,197.27
	From		17,982.71
	From		\$236,449.94
	From Territorial Interest Fund to Contingent University Fund, No. 2, 1905	\$4,197.27	
	From Territorial Interest Fund to Prison Interest and Sinking Fund	10,000.00	
	From State Library Fund to General Fund	\$3,991.86	
	From State Library Fund to General School Fund	6,991.86	
	Total transfers		

REPORT OF STATE TREASURER

EXHIBIT F

Showing Balance on Hand January 1, 1913, and Receipts during 1913; also Disbursements, and Balance on Hand December 31, 1913

1913 Dec. 31		
	Balance on hand January 1, 1913.....	\$579,048.36
	Received during the year 1913.....	1,928,769.62
	Disbursed during the year 1913.....	\$2,507,797.87
	Balance in State Treasurer's hands, December 31, 1913.....	2,068,338.16
		<u>\$449,404.69</u>
	<i>Apportioned as follows:</i>	
	General Fund .....	\$53,052.49
		72,325.56
		79,325.04
		40.00
		13,990.32
		2.53
		9,402.89
		8,069.06
		2,000.00
		57.88
		840.72
		278.33
		363.64
		5,322.27
		110.40
		42,363.28
		4,408.78
		666.70
		300.00
		96,341.77
		\$,011.60
		19,423.23
		8.92
		118.83
		14.75
		28,207.77
		7,061.96
	Total.....	<u>\$449,404.69</u>



**EXHIBIT G**  
**Showing County Settlements in 1913**

Counties	February	March	May	June	July	November	December	Totals
Churchill County	-----	-----	-----	\$12,307.65	-----	-----	\$15,395.87	\$27,703.52
Clark County	-----	-----	-----	7,998.75	-----	-----	16,555.06	24,553.81
Douglas County	-----	-----	\$1,156.00	2,784.63	-----	-----	3,551.48	9,593.49
Elko County	-----	-----	-----	38,340.46	\$11,863.53	-----	59,990.41	122,448.35
Esmeralda County	\$12,253.96	-----	-----	8,788.10	-----	-----	24,944.48	33,742.53
Eureka County	-----	-----	-----	7,524.17	-----	-----	13,507.73	21,031.90
Humboldt County	-----	-----	-----	36,575.42	-----	-----	54,989.59	91,505.01
Lander County	-----	-----	-----	7,583.75	-----	-----	11,153.64	18,737.39
Lincoln County	-----	-----	-----	5,872.85	-----	-----	10,483.75	16,356.60
Lyon County	-----	-----	908.44	15,047.00	-----	-----	17,576.54	34,427.73
Mineral County	-----	\$1,536.64	396.37	3,961.68	1,429.71	895.75	6,670.66	14,402.19
Nye County	-----	-----	-----	13,875.26	-----	-----	23,210.72	36,085.93
Ormsby County	-----	-----	-----	3,084.52	-----	-----	5,217.46	8,301.98
Storey County	-----	-----	-----	4,725.81	-----	-----	6,399.16	11,124.97
Washoe County	-----	-----	2,499.59	42,081.19	-----	-----	66,703.63	113,754.93
White Pine County	-----	-----	-----	23,460.50	-----	2,470.52	32,897.80	56,358.30
Totals	\$12,253.96	\$1,536.64	\$4,960.40	\$234,021.79	\$13,293.23	\$5,874.73	\$368,187.93	\$640,128.73
Balance unapportioned (Esmeralda County, 1911)	-----	-----	-----	-----	-----	-----	-----	24,487.84
Total on hand and received	-----	-----	-----	-----	-----	-----	-----	\$664,616.57
Apportioned during year 1913	-----	-----	-----	-----	-----	-----	-----	568,274.80
Balance in fund January 1, 1914	-----	-----	-----	-----	-----	-----	-----	\$96,341.77

## REPORT OF STATE TREASURER

## EXHIBIT H

Showing Warrants outstanding January 1, 1913; Warrants drawn, registered, paid and returned to Controller during the year; also Warrants outstanding December 31, 1913

	Outstanding January 1, 1913	Warrants drawn and registered 1913	Warrants paid, can- celed and returned	Warrants outstanding December 31, 1913
General Fund.....	\$38,489.70	\$378,864.18	\$400,865.16	\$16,478.72
State School Fund.....	395.70	644,184.76	643,947.06	833.40
General School Fund.....	208.25	220,664.93	220,506.48	266.70
State Interest and Sinking Fund.....		22,299.53	22,299.53	
Territorial Interest Fund.....		19,000.00	19,000.00	
State Library Fund.....	265.70	12,486.99	12,712.64	69.06
Judicial Salary Fund.....	1,375.00	18,000.00	17,375.00	2,000.00
State Orphans' Home Fund.....	1,066.92	12,633.96	13,662.00	67.89
State Prison Fund.....	7,480.04	62,887.50	69,508.82	840.72
State Indigent Insane Fund.....	2,661.07	46,066.29	48,438.83	273.63
Interest Account, 90,000-Acre Grant.....		358.68	294.10	69.48
	21.00	55,426.67	55,441.67	6.00
	3,833.90	46,000.00	45,666.70	4,167.20
		4,110.00	4,110.00	
		7,200.00	7,200.00	
		4,250.00	4,250.00	
	4.80	11,376.82	11,376.42	5.00
		27,611.90	27,611.90	
	40.00	70,167.72	70,167.72	40.00
	504.30	1,819.17	2,316.80	6.67
	237.42	3,143.21	3,265.83	114.70
	166.66	1,000.06	1,166.70	
County.....		1,000.06	1,000.06	
County.....		333.30	333.30	
Normal Training School Fund, Eureka County.....		600.00	600.00	
Normal Training School Fund, Nye County.....		300,976.73	300,976.73	
State Loan Interest and Redemption Fund.....		311.34	311.34	
Automobile Road Fund.....		89,000.00	89,000.00	
University Fund, 90,000-Acre Grant.....		16,000.00	16,000.00	
State University Fund.....				
Totals.....	\$66,759.15	\$2,027,658.06	\$2,059,398.18	\$25,024.06

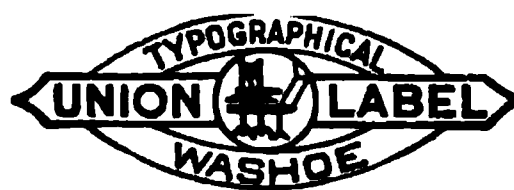
**EXHIBIT I**  
**Showing State Deposits, Interest paid on same at 2½ per cent per annum, and Securities Furnished, at close of year, December 31, 1913**

Depositories	Amount on deposit	Interest paid	Description of securities	Amount of securities	Date of deposit
Washoe County Bank, Reno, Nevada.....	\$20,000.00	\$226.10	11 Washoe County 5% 2 Washoe County 5½ 10 Washoe County 5%	\$23,000.00	July 16, 1913
Farmers and Merchants National Bank, Reno, Nevada.....	20,000.00	228.78		23,000.00	July 18, 1913
Bank of Sparks, Sparks, Nevada.....	10,000.00	110.91			
Nixon National Bank, Reno, Nevada.....	20,000.00	208.46	h 250 each; b b	12,000.00	July 22, 1913
Lyon County Bank, Yerington, Nevada.....	16,000.00	166.25		26,000.00	July 30, 1913
Copper National Bank, East Ely, Nevada.....	17,000.00	170.95	\$1000 each	18,000.00	August 1, 1913
				21,000.00	August 5, 1913
<b>Totals .....</b>	<b>\$102,000.00</b>	<b>\$1,111.45</b>		<b>\$123,000.00</b>	

**EXHIBIT J**  
**Showing list of State and County Bonds held by the several funds**

Date	Funds	Description of bonds	Amount	Totals
1913				
Dec. 31.....	State School Fund.....	.....	\$380,000.00	
		.....	245,000.00	
		.....	1,008,000.00	
		.....	125,000.00	
		.....	125,000.00	
		.....	157,000.00	
		.....	19,000.00	
		.....	6,500.00	
		.....	75,000.00	
				\$2,200,500.00
	University Fund, 30,000-Acre Grant .....	Nevada 5 per cent bonds—Issue of March 15, 1913.....	\$39,000.00	
		Massachusetts State 3 and 3½ per cent bonds.....	68,500.00	
				107,500.00
	State University Fund.....	Nevada 5 per cent bonds—Issue of March 15, 1913.....	\$16,000.00	
		Massachusetts State 3 and 3½ per cent bonds.....	33,500.00	
				49,500.00
	Total .....			\$2,357,500.00







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